

Kurdish separatists join uprising in north while 7,000 troops are rushed to defend Baghdad

Basra falls to rebels as Shia revolt spreads

By MICHAEL BINYON, DIPLOMATIC EDITOR

THE southern Iraqi city of Basra was reported last night to have fallen to forces opposed to President Saddam Hussein and fighting was spreading to many cities in the south and the outskirts of Baghdad. Saddam sent in the remnants of the Republican Guard to try to quell the growing revolt.

Iraqi opposition groups in London and Tehran said that Basra, Iraq's second largest city, was in the control of the rebels, swelled by large numbers of soldiers straggling back from the Kuwaiti front. They had handed over their weapons to resistance fighters.

Basra party officials were reported to have been killed or driven from office, and there were many casualties as secret police, government officials and those loyal to Saddam tried to beat off the attacks of the angry masses.

Kurdish separatist rebels in the north joined the uprising to take control of a broad swath of oil-rich Kurdistan.

Sheikh returns.....6
Revolution fears.....7
Leading article.....11
American orders.....21

With a large part of the country occupied by allied forces, Saddam is now besieged on all sides, as rebels threaten a pincer movement to restrict the Baathists' control to the capital and the central region.

Unconfirmed reports said that Saddam's eldest son, Uday, was killed. The mayor of Basra and a provincial governor were also reported killed on Sunday, but opposition groups in London could not confirm this. Uday Hussein, a brutal man who killed a servant some years ago and was briefly sent into exile in Switzerland, has held senior government posts. He volunteered for army service but did not appear to take a prominent role during the war.

Resistance forces were said to be advancing on the city of Kut, on the road linking Basra with Baghdad. Uprisings were reported in Mosul and Sulaymaniyah, Kurdish provinces in the north, and guerrillas said they controlled the bridges and roads leading to Sulaymaniyah. Resistance groups claimed control of Amarah, Diwaniyah, Samawah, and Nasiriyah in the south. Fighting was said to be going on in several towns in the west. Opposition groups in London said there were even demonstrations in Tehran (Revolution) City, a suburb of Baghdad.

However, Mowaffak al-Rubai, a London-based spokesman for the Islamic Dawa party, said: "We don't want to frighten anybody with the idea that an Islamic fundamentalist movement is sweeping southern Iraq and all this rubbish. There's nothing like that."

There are no Western reporters or independent observers in Basra, and British officials in London were giving out no information on the confused situation. American sources said two mechanised brigades of about 7,000 Iraqi soldiers were returning to Baghdad from the Turkish and Iranian frontiers in what appeared to be an effort by Saddam to shore up his crumbling regime.

Baghdad radio did not comment on the fighting. It attempted instead to portray Saddam as still firmly in the saddle, and said he met the ruling Revolutionary Command Council and the Baath party regional command. The

revolt is supported by the Supreme Assembly of the Islamic Revolution in Iraq, an exiled Shia opposition group led by Ayatollah Muhammad Baqir al-Hakim, the son of a former Shia grand ayatollah. In a broadcast from exile in Iran, he called on Iraqis to support the mujahidin forces fighting against Saddam, and appealed to Kurds in northern Iraq to organise a popular revolt as quickly as possible.

Ayatollah al-Hakim told a press conference that resistance forces had destroyed 100 tanks, and said an entire Republican Guard regiment had surrendered in Amarah. But he said the revolt still faced bloody suppression. "Saddam is like a wounded wolf and may inflict heavy casualties on the people."

Ayatollah al-Hakim said there were demonstrations "against the system" in the holy cities of Karbala and Najaf, which were carefully avoided by allied bombers. He called on Syria, Jordan, Turkey and the countries of the Gulf Co-operation Council to give their support to "the entire Iraqi people".

Allied forces still occupy Iraqi territory in the south, and this may have encouraged the uprising in the Shia region that has long opposed the rule of the minority Sunni government. However, they have made no attempt to intervene. "There are no circumstances in which we would get involved, not that I can foresee anyway," Lieutenant-General Sir Peter de la Bilière, commander of the British forces in the Gulf, said. "We're not here to impose law and order on Iraq. We're here to help Kuwait."

Jamal al-Din, a member of the London office of the supreme assembly, said messages from Tehran told of continued fighting all yesterday. He said the assembly had not itself taken part, but had given its moral support.

The Iranian news agency, Iran, quoted refugees arriving at the western city of Ahwaz saying the people had taken control of Basra. Government

Continued on page 20, col 5



Freed: Flight Lt John Peters, the Tornado pilot who was forced to appear on television, after his release yesterday

Two 'unknown' Britons among ten PoWs freed by Iraq

By MICHAEL EVANS, DEFENCE CORRESPONDENT, AND ROBIN YOUNG

TWO British servicemen, who were never listed as missing in action, were among ten allied prisoners of war released by Iraq yesterday. The ten, including three Britons and the only American woman captured by the Iraqis, arrived in Jordan last night.

Two of the Britons freed were named as Malcolm Graham MacGown and Ian Robert Pring. The International Red Cross, which announced the release yesterday, did not provide their ranks. But neither of the two appear in the official army list of British officers. There was speculation that they may have been members of a special army reconnaissance unit captured behind Iraqi lines.

The ten allied prisoners arrived in the Jordanian town of Terebinth from Baghdad in a Red Cross convoy. They were handed over to Werner Kasper, head of the International Committee of the Red Cross in Jordan.

Last night the Ministry of Defence was unable to provide any details of the two "unknown" Britons. The third British prisoner to be freed was Flight Lieutenant John Peters, the 29-year-old Tornado pilot who was forced to appear on Baghdad television after his capture. There is no sign yet of his navigator, Flight Lieutenant Adrian Nichol, aged 27, who had also appeared on Baghdad television.

Yesterday, Flight Lieutenant Peters' parents hugged each other in delight as they saw him walk to freedom. "To say I am delighted would be an understatement," said Kay Peters at her home in Petersfield, Hants.

Despite the fact that he had lost weight and grown a beard, Brian, recognised his son instantly as they watched television pictures of the prisoners' release. His mother-in-law, Margaret Edwards, said at her home in Harborne, Birmingham: "We are very heartened by the news. We could not feel happier for our daughter and her family."

The pilot and his navigator were taken prisoner on the first day of the war. The engine of their Tornado caught fire and they were forced to eject from the plane. A week later, Flight Lieutenant Peters was shown on TV, mumbling indistinctly, his eyes blackened, shoulders hunched, and looking downcast. His wife, Helen, is at RAF Leirbruch in Germany with their son, Guy, aged two, and Toni, a daughter who was born in October, just before her father went to the Gulf.

All ten prisoners had arrived earlier in the day at the al-Rashid Hotel in Baghdad, in a white minibus with its curtains drawn. They were accompanied by an Iraqi brigadier. One of the freed prisoners had his right arm in a sling, but they all looked fit and healthy, and were dressed in yellow PoW uniforms.

Six of the released prisoners were American. They are Navy Lieutenant Robert Wetzel, Navy Lieutenant Lawrence Randolph Slade, Army Specialist Melissa Anne Rathbun-Nealy, aged 20, from Michigan, and Army Specialist David Lockett, 23, who were both snatched by an Iraqi reconnaissance patrol in northern Saudi Arabia on January 31; Lieutenant Jeffrey Norton Zaun, a 28-year-old naval pilot, who had been flying an A6E intruder; and US Air Force Major Thomas Edward Griffith, aged 34.

There was also one Italian, Lieutenant Maurizio

Coccolone. The list of their names was received by the Red Cross headquarters in Geneva, in what was the first telephone contact with Baghdad since the war started.

Tony Reeve, Britain's ambassador to Jordan, and Colonel Philip Goddard, the defence attaché, met the freed Britons at the Iraqi border last night. They were then driven off to be debriefed.

Last night, Andreas Wigger, the chief Red Cross delegate in

Continued on page 20, col 5

marks and Gorbachev, page 9

marks and Gorbachev, page 9

marks and Gorbachev, page 9

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Major meets Soviet leader in Moscow

From MARY DEBEVSKY
IN MOSCOW
AND ROBIN OAKLEY

JOHN Major will meet President Gorbachev in Moscow today, the first Western leader to do so since the Gulf ceasefire was agreed. Discussions are expected to centre on British and Soviet views of the postwar settlement.

Moscow's attitude to the three Baltic republics, all of which have now voted unequivocally in favour of independence, will also be on the agenda. Mr Major is scheduled to meet the Moscow representatives of the Baltic republics during his one-day working visit.

The prime minister also has meetings scheduled with Eduard Shevardnadze, the former foreign minister and leading liberal; Marshal Dmitri Yazov, the defence minister, and other military leaders; and Valentin Pavlov, the prime minister, who last month alleged that Western banks were implicated in a plot to flood the economy with roubles and bring down Mr Gorbachev.

Mr Major will not, however, be seeing Boris Yeltsin, the president of the Russian Federation. Mrs Thatcher received him in Downing Street last year, and Douglas Hurd the foreign secretary, called on him in September. But it was felt that the wrong signals would be sent to the Soviet leadership by including Mr Yeltsin on such a restricted programme.

The prime minister, who studied the Soviet economy during his time as Chancellor of the Exchequer and who has read in detail the International Monetary Fund report on the failings of the Soviet system, will be seeking assurances about the intended pace of Soviet reforms. Although he is keen to build a personal relationship with Mr Gorbachev, the man whom Mrs Thatcher claimed to have "discovered" for the West, he has signalled that Britain will not consider signing a bilateral relations treaty such as those signed by the Germans, French and Italians.

Mr Major hopes to persuade the Soviet leader to continue using him as a sounding board of Western opinion and as someone through whom he can transmit subtle messages to the Americans.

marks and Gorbachev, page 9

Haringey tops poll tax

Haringey, the Labour-controlled council in north London, yesterday set its poll tax at £559.80, an increase of £51 on the current year and the highest in England and Wales for the second year running. The council announced that 1,200 of its staff would lose their jobs... Page 2

Byrd man back



Roger McGuinn, former leader of the Byrds and one of rock's principal visionaries of the Sixties, has emerged after more than 10 years of ignoring the recording industry to talk about a new album, *Back From Rio*... Page 17

Prison therapy

As part of a programme to deal with the large numbers of imprisoned sex offenders, the Home Office is to create therapy units at about 15 English and Welsh jails for offenders such as paedophiles and rapists... Page 4

Peace attempt

South Africa's black politicians are attempting to salvage a peace agreement after clashes between Zulu and Xhosa-speaking workers at a Soweto hotel last night at least 24 people killed and 15 wounded at the weekend... Page 9

Justice reform

Lord Scarman argues that miscarriages of justice could be prevented if the Court of Appeal was reformed and judges played a part in the investigation of crime... Page 10

Record bill

British football clubs are facing a record bill of £7.5 million for policing matches this season and the Football Trust predicts that there will be an overall increase of 16 per cent in fees on 1989-90... Page 42

INDEX

Arts	17-18
Burns, marriages, deaths	13
Classified	13, 33-38
Court & social	12
Crosswords	13-20
Design	16
Fleet cars	28-32
Law Report	34
Leading articles	11
Letters	11, 25
Obituaries	12
TV & radio	19
Weather	20

Soap discovery for Birmingham Six

By STAFF REPORTERS

THE Birmingham Six, sentenced to life imprisonment for two pub bombings, had been convicted with crucial scientific evidence which is now regarded as "thoroughly unreliable" because of a dramatic discovery made in the past month. The Court of Appeal heard this yesterday, as the third hearing of the case opened at the Old Bailey.

Opening the case for the men, Michael Mansfield QC told a packed court that a scientist had discovered that soap traces could give a positive reading in tests used to uncover traces of nitroglycerine. Three of the men were accused, at their trial 16 years ago, of handling gelignite after tests on their hands. Yesterday Mr Mansfield said the evidence by a Home Office scientist was thoroughly unreliable and erroneous. Not only was forensic evidence flawed but techniques for analysing documents had revealed doubts on police records including an interview with one of the six. The notes were not contemporaneous and threw a grave shadow of doubt over police honour and integrity.

Crucial test, page 3
Justice in balance, page 10

End of war revives sorties to travel agents

By HARVEY ELLIOTT
AIR CORRESPONDENT

SUNNY weekend weather and good news from the Gulf produced a rush of holiday bookings yesterday as thousands of British families finally decided to get away from it all this summer.

"It seems that on Saturday there was almost a festive air, with people getting out into the High Street and picking up brochures from travel agents," Peter Rothwell, managing director of Lunn Poly, said. "They then discussed it over a walk in the country on Sunday and by Monday the wives were in the shops making the final booking."

During the war, bookings virtually stopped, plunging many travel agents and tour operators into serious cash problems. The industry, however, is nothing if not elastic. Lunn Poly reported that the weekend's bookings

were 70 per cent higher than last year at the same time. Thomson Holidays, Britain's biggest tour operator, reported a similar surge. "On Saturday, we had a 50 per cent increase in sales and the number of people wanting winter holidays was double last year's level for this weekend," Charles Newbold, the managing director, said.

Britain's second-largest travel agent, Pickfords Travel, said that foreign holidays were selling so well that some of its shops planned to open on Sunday. Shops were reported to up to three times the level of previous weeks and exceeding sales at this time last year, it said. "From being 50 per cent down a couple of weeks ago, our sales are now running 50 per cent up on last year," Kevin Welch, sales and marketing director, said.

Despite the weekend's good business, the overall picture is still gloomy. At least a million Britons who would have

been expected to have booked holidays by now have not done so. Airlines are, however, planning advertising aimed at cashing in on the apparent desire to travel again. They hope that employers' bans on business travel will soon be lifted, enabling shops, restaurants and theatres still suffering from the downturn to return to pre-war levels.

One company cash-starved by effects of the war is Britain's second-biggest tour operator, Harry Goodman's International Leisure Group. Bankers and major shareholders are in talks about possible refinancing.

The Sandis themselves are, it seems, ready for a break. Today, a party of ten travel agents arrive in Manchester to hear from the British Tourist Authority of the delights awaiting Sandis if they choose to holiday in Britain.

Safer air travel, page 3

Multiyork Winter Sale.

IMMEDIATE DELIVERY
30%-50% OFF
MADE TO ORDER
20%-25% OFF

IN ANY FABRIC FROM OUR 'TOP 20' RANGE INCLUDING WARNERS, BAKER, SANDERSON. SOFAS FROM £450 TO OVER £1,000.

(Start the New Year with upholstery guaranteed for the next ten.)

10 YEAR GUARANTEE

In our Winter Sale there are fourteen traditional and modern ranges on offer, many of which are brand new for 1991.

You are free to choose from literally hundreds of top name covering fabrics, including stunning new damasks, jacqu

1,200 jobs go as Haringey council sets top charge

By DOUGLAS BROOM, LOCAL GOVERNMENT CORRESPONDENT

LABOUR-controlled Haringey council in north London yesterday blamed the government for its decision to set the highest poll tax so far for the second year running.

Toby Harris, the council leader, said that the poll tax from April would be £559.80, a rise of £51 on the current charge-capped figure. He also announced that 1,200 council staff would lose their jobs.

The news was greeted with dismay by union leaders, who called white-collar officials and teachers out on an immediate half-day strike and announced a ballot on further action.

Yesterday's announcement came only three days after Conservative-run Wandsworth council, in south London, set the lowest poll tax in England and Wales at £136.

While Haringey was announcing its rise, it was also closed to the controlling Labour group on Southwark council in south London was preparing to hold its community charge at £329 for a second year.

Michael Portillo, the local government minister, refused to accept blame over Haringey. Haringey was spending 24 per cent above its cash limit and had been allowed a further 7 per cent rise this year, he said. "Like other councils, they are having to improve their efficiency," he said.

After setting the highest poll tax for 1990, at £372.98, Haringey was charge-capped and its bill was reduced to £308. In order to avoid the same fate this year, the council is to cut spending by £22 million.

Mr Harris said that the cuts would "strike at the heart of local government" in the borough, affecting libraries, school meals, and home helps.

One swimming pool would close and the borough's unique cricket school would lose all council funding. Nursery education would not be affected, but 180 school meals staff would lose their jobs. Thirty secondary school teachers would be made redundant, as would an unspecified number of educational advisers, peripatetic and support staff, and 50 educational administrators.

As well as sacking 120 home helps, the council was also cutting out six of its committees and taking £300,000 off its "equalities work" budget.

"The government has taken away over £65 million from the people of Haringey in the last five years. This is a budget that has been determined, to the last penny, by the government," said Mr Harris.

The poll tax was so "rotten and rigged" that he had no hesitation in comparing Haringey with Wandsworth. For Wandsworth, 90 per cent of

spending was met by government grant and business rates, compared to 67 per cent in Haringey. Wandsworth also had a capping limit £46 million higher than that imposed on Haringey, even though Haringey was the sixth-poorest borough in Britain, he said.

However, official statistics do not bear out all of Mr Harris's claims. Haringey receives £1,128.82 per head of population in grant and business rates, compared to £1,199.59 in Wandsworth. The smallness of the difference is underlined by comparison with Lambeth, which receives most, at £1,544.38 per head, and Kingston on Thames which gets least at £503.50 per head.

Although Wandsworth has a higher capping limit, it also has a bigger population, 261,500 compared to Haringey's 196,000. Even so, Wandsworth and Haringey employ similar numbers, each having about 10,000 employees, so Haringey employs 51.02 staff per 1,000 residents, and Wandsworth 38.24. By comparison, Brent council has 38.88 staff per 1,000 residents.

Sir Marcus Fox, vice-chairman of the Tory backbench 1922 Committee, said: "The writing has been on the wall for councils like Haringey for a number of years. It has only been brought to light by virtue of the poll tax."

Liberal Democrat-run Richmond on Thames council, which borders Wandsworth, yesterday announced a £419 poll tax for next year, an increase of £24. Residents on the Richmond side of the Upper Richmond Road will pay £283 more than neighbours on the Wandsworth side, with poll tax of £136.

Derbyshire county council is planning to cut 400 teaching jobs from its teaching force of 11,000 to try to avoid capping. The Conservative group said the council should increase school meal charges and cut its public relations budget.

Poll tax protesters in London yesterday threatened to wake up councillors at 6am in mock bailiff raids.

Award winners: Kieran Furlong, aged 14, of Rawtenstall, Lancashire, who saved a baby from a house fire, with Cathy Page and Jacqueline Ellis, both 15 and from Dorset. They were among youngsters named Citizens of the Year yesterday.

IN SPITE of the gloom over falling sales and the prospect of heavier fuel taxes on gas-guzzling cars, Aston Martin has joined one of the world's leading manufacturers of luxury cars in launching new models today.

The new Aston Martin Virage Volante has all the English virtues of wood and leather, plus a 5.4 litre V8 engine and near-£100,000 price tag. The company chose the first day of the Geneva Motor Show to take the wraps off a model which may seem an anachronism in today's stringent times.

The Virage Volante is a four-seater version of Aston Martin's latest two-seater Virage model, and packs under the bonnet a 330bhp engine capable of firing the near two-tonne car from 0 to 60mph in 6.5 seconds and on to a top speed of 155 mph.

However, it is the introduction of something regarded as mundane in the home which sets the S-class apart from its rivals, for it is the first production car to feature double-glazing. All side windows comprise two panes of 3mm thick safety glass separated by a 3mm air gap. Other features include doors which close themselves with a gentle push.

The environment is an important talking point at the Geneva show this year and the German manufacturers are giving details of elaborate recycling systems. The S-class, for example, has a special stamp on all plastic components which can be easily identified for re-use in further manufacturing.

Mercedes has scrapped the use of 10,000 spray cans a year, which contained chlorofluorocarbons and other potentially toxic materials such as asbestos, cadmium, nickel and chemical solvents in paint.

Hardly a cloud spoils favourite's progress

By NICHOLAS WOOD
POLITICAL CORRESPONDENT

ON FULWOOD Heights yesterday morning at an upwardly mobile housing estate, Nigel Evans, the Tory candidate in the Ribbles Valley by-election, started to relax. He had just left a press conference where for perhaps the first time in the campaign he had been flummoxed by a reporter's question.

Asked his views on the "spineless Al-Sabahs", he had had to confess that he did not know they were the ruling family of Kuwait. Even the presence of William Waldegrave, a former Foreign Office minister, failed to lend him inspiration.

After cheerfully threatening to hit the reporter concerned once the cameras were switched off, Mr Evans headed for the dormitory town of Fulwood in the west of this sprawling but picturesque north Lancashire constituency. He was soon on safer ground. Conveying of at least a dozen houses failed to produce one Conservative defector. For once, the poll tax rated scarcely a mention. The posse of cameramen and reporters fell back disappointed.

The estate, with its bay windows, gables and landscaped gardens adding a touch of class, had been well chosen. Under Labour-controlled Preston council, the area has seen a modest gain from the introduction of the community charge. Mr Evans even appeared to be

winning the support of the unemployed. Kathleen McGahan, a nursing sister whose husband is out of work, said she would be backing the Tories even though their financial problems had forced them to consider selling their £50,000 house. Like many on the

estate, Mrs McGahan was a supporter of John Major's less strident band of Conservatism. "I would have been put off voting Tory if Mrs Thatcher was still in," she said. One of the Tory canvassers privately agreed. "It's nice to go through a campaign without 'that bloody

woman" being mentioned on the doorsteps. But if Mr Evans, the 33-year-old Welsh shopkeeper battling to hold on to a 19,500 majority, had cause for confidence, so too did Mike Carr, the Liberal Democrat challenger. Orange posters sprouted from the

neat garden hedges along the Causeway in an older part of Fulwood. This down-to-earth Lancastrian, aged 45, who is making much of his local roots in his tussle with a Welsh outsider, seemed positively ebullient as he stood in the rain sandwiched between two of his posters.

General election result 1987: D Waddington (C) 30,136, 60.9 per cent; M Carr (SDP/Lib) 10,608, 21.4 per cent; G Page (Lab) 8,781, 17.7 per cent. C maj 19,528.



Encouraging signs: Nigel Evans, the Tory candidate, heartened yesterday by a lack of anti poll tax resentment

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Heseltine faced with conflicting advice

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

THE government's difficulties over the poll tax were reinforced yesterday as a senior Tory backbencher warned Michael Heseltine, the environment secretary, of the dangers of scrapping the charge and the former Chancellor Nigel Lawson urged him to return to a modified form of the rating system.

Amid growing indications that John Major, the prime minister, will have to break the cabinet deadlock over the poll tax, Mr Lawson said that he warned Mrs Thatcher in 1985 that the tax would be "completely unworkable and politically catastrophic".

Calling for a rating system based on property values with fixed reductions for pensioners living alone, Mr Lawson accused the cabinet of the mid-1980s of pushing through a "monumental folly".

Writing in *The Daily Telegraph*, he added: "Let us be under no illusion, this is a tax so fundamentally flawed that no amount of tinkering or refinement can make it acceptable. Abolition is the only course." But Sir Robert McCrindle, who has never been a strong supporter of the poll tax, gave a warning that

disadvantages could result from its abolition. "For every letter I receive opposing the retention of the community charge, I receive another indicating dire political consequences if we restore anything approaching the rating system," he said.

In a letter to Mr Heseltine, he called for more thought to be given to a substantially amended poll tax before the government plunged for any property based alternative that would "risk bringing us the worst of both worlds". The two contributions were typical of the advice being offered to

Mr Heseltine as he attempts to find a solution that will satisfy the cabinet. Ministers believe that Mr Major will have to decide whether the poll tax should survive.

Bryan Gould, the shadow environment secretary, later wrote to Mr Heseltine calling on him to admit that the government had found itself unable to abolish the poll tax. He said that all the signs were that the government was unable to find a workable alternative. The tax, "or at least its most objectionable features", would survive.

Mr Lawson called for a staged return to the rates, primarily based on old rateable values but offering pensioners discounts and possibly keeping a low poll tax charge of about £50. This would be followed in the next parliament by switching to rates based on property values, the removal of education from council control, and the abolition of county councils.

"The Conservative party was prepared to sacrifice Margaret Thatcher to win a general election. It will surely not shrink from the less traumatic course of sacrificing the poll tax for the same end," he said.

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Auditors press for wider computer data security

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

MORE than three years ago the Independent National Audit Office issued a warning of the dangers to government computer systems from floods, fires and frauds.

Security and so-called disaster recovery was too low across government departments with gaps identified everywhere from the Driver and Vehicle Licensing Centre to the National Savings department — gaps which it was claimed put huge stores of confidential, commercially sensitive and defence data at risk.

An audit report published today is expected to find that there have been improvements in the way the government administers the security of its computing networks. Nevertheless some experts believe that there is little room for complacency and that, given the breakneck pace of computerisation of everything from social security offices to the health service, more money needs to be urgently spent. Emma Nicholson,

Conservative MP for Devon and West Torridge and former computer consultant, said government, agencies and quangos needed to mirror the spending of industry and commerce on disaster recovery.

Miss Nicholson said the private sector spent up to a fifth of budgets on securing computer systems against fire, floods and fraud. The public sector should be doing the same, she said.

The publication of the audit report brings into focus an area of government policy which some experts claim is in turmoil amid concern that a serious review of the way government specifies and buys information technology should be reviewed. It follows difficulties in implementing the computerisation of the social security and health service systems.

Up to eight social security offices are on strike because, it is claimed, the computerisation of the benefits service was made hastily without any notion of the technical difficulties involved, Michael Meacher, the shadow social security spokesman, said.

Some experts believe that the government, a £2 billion a year spender on information technology, should now consider an information technology minister to oversee the technical ramifications of legislation. The computerised community charge, which in some cases has needed more staff to administer than the old rates, may have never been passed so swiftly if an assessment of the computing complexities had been made.

Others believe there is a need for a panel of industry experts to advise government and its own advisers, the Central Computer and Telecommunications Agency.

What concerns some firms is that, in spite of a greater emphasis on competition, it can take up to three years for the government and the agency to approve a system whereas in the private sector the time frame is often a few months.

LOQUACITY is not a hallmark of the Hebridean. Celtic gloom and brooding silence live more easily in the character of inhabitants of the Western Isles.

Sheriff Ewan Stewart of Stornoway has broken the mould in that town's courthouse, having been chastised by a superior legal being for unjudicial behaviour, constant interruption of witnesses, and the introduction of irrelevances throughout a day-long hearing.

Sheriff Stewart was hearing a civil case in which Graham McLellan, a fencing contractor, was suing James McLellan, a crofter, for £2,500, the cost of erecting a fence. Mr McLellan was refusing to pay because, he alleged, Mr McLellan had not finished the job. The sheriff found for the fencing contractor, and the crofter took

the case to appeal because of what he described as "unjudicial behaviour during proof".

In a written appeal judgment, disclosed yesterday, Sheriff Principal R.A. Bennett, QC, expressed his fears for the proper administration of justice in the Highlands and Islands.

"The notes of evidence do indeed disclose an alarming situation. The proof lasted a day, and there were three witnesses, namely the pursuer, an agricultural officer and the defender. During the evidence the sheriff constantly interrupted the examinations and cross-examinations on more than 100 occasions, sometimes at great length."

In his judgment, the Sheriff Principal continued: "It is fair to say that more than half the notes of evidence are taken up by the sheriff's diversions. The

Last cruise missiles fly out

By MICHAEL EVANS
DEFENCE CORRESPONDENT

THE last American cruise missiles based in Britain will be flown out from RAF Greenham Common, Berkshire, today. The 16 nuclear missiles, with their launchers, will leave on board a Galaxy transport plane bound for the Davis-Monthan air base in Arizona.

Their departure will finally remove the *raison d'être* of the Greenham Common women who have camped outside the base for nearly five years. The hard core of about 20 women, who live in tents outside three of the gates, is, however, expected to remain until the last American serviceman has gone from the base. Up to 500 servicemen are expected to remain there for the foreseeable future.

Greenham Common became the focus for anti-nuclear demonstrations when NATO governments announced in 1979 that cruise missiles would be deployed in five countries as part of the European nuclear deterrent.

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Hopes rise for breast cancer drug

The world's first study to establish whether a drug can prevent breast cancer is producing "most promising" evidence, Dr Trevor Powles, a consultant physician, said yesterday (Thomson Premise writes).

The ten-year trial at the Royal Marsden Hospital, London, involving 750 women with a family history of the disease, has reached the half-way stage. Another 750 volunteers are being sought before a nationwide study with 15,000 women begins this year. The women are taking tamoxifen, used successfully to treat breast cancer, or a placebo, daily for up to five years to test whether the drug prevents the disease.

Relatives of victims of violent crime and serious road accidents are more likely to contract cancer because stress weakens their natural defences, researchers claim in a *First Tuesday* documentary on ITV tonight.

Church rally cry

The Bishop of Southwark urged the Church of England yesterday to take action to arrest a decline in membership over the last ten years. The Rt Rev Ronald Bony was speaking at the launch of a survey by Marc Europe, a Christian research body, which showed attendances down by half a million in that period. Congregations had fallen in the Roman Catholic, Anglican and Methodist churches by 9 per cent or more, according to the survey, based on 26,600 churches.

Widow's award

Bridget Friel, whose husband, Daniel, age 45, died as a result of an explosion when a

Two killed in pub shootings 'were terrorist suspects'

By EDWARD GORMAN, IRISH AFFAIRS CORRESPONDENT

TWO of the men shot dead by Loyalist gunmen outside a pub in east Tyrone on Sunday night were regarded by the security forces as "suspect terrorists", reliable sources said yesterday.

A third man shot dead appeared in court in Belfast three years ago charged with unlawfully collecting information likely to be of use to

terrorists. The disclosures are consistent with an explanation for the killings, the worst incident of violence in the troubles this year by the outlawed Ulster Volunteer Force, which said it carried out the attack. It dismissed allegations that the motive was purely sectarian, describing it as an operation against the command structure of the IRA in Armagh and Tyrone.

The UVF said some of its victims had been identified by its volunteers as members of the IRA "before they were killed and that two of its units had been involved, one of which ensured the killers made a safe getaway.

Four men, all Roman Catholic, died when up to four gunmen opened fire on a car as it drew up outside Boyle's bar in the strongly republican village of Cappagh at about 10.30pm. Two men were killed instantly in the car and one was seriously injured, with gunshot wounds to his side and elbow. A fourth man who managed to get out of the vehicle and tried to escape across a low wall into a field was also found shot dead, while another man died in the pub lavatory after gunfire was directed at him through the window.

One eyewitness described the scene immediately after the attack. "When the firing stopped Thomas Armstrong was lying dead outside the toilet door and the others were dead outside. The car engine was still going. The driver was slumped over the steering wheel and the whole car was riddled. There were spent bullet cases all over the road. One of the dead was lying in a field a few yards away. We carried him into the pub."

The dead men were named as John Quinn, aged 23, who was unemployed, Thomas Armstrong, aged 52, Malcolm Nugent, aged 20, an engineer, all from Cappagh, and Dwyane O'Donnell, aged 17, from the nearby village of Galbally. Quinn and Nugent were regarded as suspected terrorists and O'Donnell ap-

peared in court while aged only 14. The other two men are not thought to have any connection with paramilitary organisations.

Police were questioning two men about the killings at Gough barracks in Armagh after arresting them in Portadown an hour after the shooting. They were also examining the muzzle cover from a standard issue army SA-30 rifle handed in by a member of the public. A car possibly used as a getaway vehicle was being examined at a quarry two miles from the pub.

The shootings are similar to an attack on a bar at Ardara on the shores of Lough Neagh, near Cappagh, in December 1989, when the UVF killed Liam John Ryan, aged 39, the landlord and one of his customers. It subsequently emerged that Ryan was a well known republican who had been convicted in a New York court in 1985 on charges of buying rifles for the IRA.

One widespread assumption was that Sunday's killings may have been in revenge for the shooting dead of two policemen and two civilians on a wildfowling expedition on Lough Neagh by the IRA last November. While politicians and church figures on both sides of the community condemned the shooting, Sinn Féin and SDLP councillors claimed there must have been security force collusion in the deaths because, they said, Cappagh is always under intensive army and Special Branch surveillance.

Anthony McGonnell, a Dungannon SDLP councillor, said there had been extensive helicopter activity around Cappagh until two hours before the shooting. "I think it is very, very strange that given that there was so much security force activity in the area, that this abomination could actually happen..." he said. Peter Brooke, the Northern Ireland Secretary, and police sources denied that there were grounds to suspect collusion.

Anti-terror act, page 5

NHS reforms 'in danger'

By JILL SHEARMAN, SOCIAL SERVICES CORRESPONDENT

HEALTH service managers yesterday criticised the government for imposing restrictions on NHS trusts and increasing bureaucracy as part of health reforms. They argued that there would be few changes on April 1, when the reforms are to be implemented. Because the government would not allow changes in GP referral patterns, money would not follow patients to the most successful hospital.

John Cooper, from the Royal Free Hampstead Trust, north London, said NHS trusts had been stripped of their financial and managerial freedom. A recent circular from Duncan Nichol, NHS chief executive, had made clear that trusts were to be

brought into line in the same way as other hospitals in the health service. The 57 trusts, which are to go ahead next April, have been told to produce detailed business plans, which will be monitored regularly by the management executive.

Speaking at a conference held by the National Association of Health Authorities and Trusts and the Institute of Health Services Management, Mr Cooper said that although the White Paper had promised new freedoms for those hospitals becoming self-governing, these were now being taken away. The white paper had stated that self-governing hospitals would be able to increase their capital spending by borrowing from the private

sector, allowing them to expand services. They were also allowed to keep surpluses and depreciation charges to fund improvements. However, because the government had recently imposed such strict limits on the amount of capital which trusts could either borrow or spend, this flexibility had disappeared.

"It is no longer true that we can retain surpluses or build up resources," Mr Cooper said. "The only freedom we have in financial terms is the freedom to ask permission."

Earlier, Virginia Bottomley, the health minister, had stressed that the NHS was not on the brink of some sudden revolution and change would be slow.

Duchy rejects plan for homeless shelter

By CHRISTOPHER WARMAN, PROPERTY CORRESPONDENT

A TORY councillor has accused the Prince of Wales of hypocrisy in a dispute over the proposed conversion of a building into a shelter for homeless people.

The building at Midsomer Norton, near Bath, is a bungalow bought two years ago from the village blacksmith by the prince's Duchy of Cornwall for a road improvement scheme. Norton Radstock town council asked the prince to turn the bungalow into a short-term shelter, but the duchy replied that it would not be economically viable.

Yesterday Ken Curtis, a Conservative councillor, said that the prince was a hypocrite for "failing to practise what he preaches". He added: "He has set himself up as a champion of the poor and underprivileged. We have given him the perfect opportunity to put his beliefs into practice and he has thrown it back in our faces."

The bungalow, derelict and vandalised, is on land that will be used to improve the A362 road, which will be needed for extra traffic from a development of terraced houses planned by the duchy. The duchy said yesterday that the development was being delayed until market conditions improved. "The bungalow is boarded up, and it is not economically viable to repair it and use it for short-term housing." A scheme for a new village at

Poundbury, Dorchester, is also waiting for an upturn in the property market.

The prince faces another potential difficulty with a plan by a former neighbour near his home at Highgrove, Gloucestershire, to convert a 17th century barn into houses. Cotswold district council has received plans for the scheme, and local people are hoping for an objection from the prince, who has often criticised the practice of converting barns into homes.

Ejected doctor sues authority

A DOCTOR who was picked up and carried out of a hospital by a male nurse and police after being refused access to a psychiatric patient's medical notes claimed damages for assault and false imprisonment yesterday.

Dr Mario Brown told Mr Justice Drake and a High Court jury that staff at Hillingdon hospital, west London, did not believe that he was a doctor entitled to see the notes, and called the police. He had been bundled into a car and taken to a police station where he had been interrogated, put in a brightly lit cell for the night and

deprived of food and water. Magistrates had later dismissed a charge of breach of the peace brought against him.

Dr Brown, of Northwood, west London, is suing Hillingdon health authority and the Metropolitan police. They deny assault and say his arrest and detention were lawful.

Dr Brown, conducting his own case, said that he had gone to the hospital on October 2, 1987, to help a woman to appeal against an order under the Mental Health Act. He had asked to see her notes, but when challenged by a nurse, had been unable to prove that he was a doctor

because "the GMC does not issue identification cards". While waiting for the matter to be resolved, he had taken the patient's notes from an open filing cabinet and had refused to give them up. "In fact, I was sitting on them so they could not be grabbed from me," he said. "The nurse had made several attempts."

Three police officers had arrived, and the nurse and at least one officer had "rushed" at him. "The notes were torn from my grasp and I was picked up, still trying to protect myself, and carried out of the hospital," Dr Brown said. The hearing resumes today.

Sunday Sport faces porn ad curbs

By MELINDA WITTEK, MEDIA CORRESPONDENT



Lord MacGregor wants Sport titles on 'top shelf'

THE *Sunday Sport* could be re-classified as a "top-shelf" publication unless it drops many of its advertisements for pornographic telephone chatlines, under proposed changes to the rules governing newspaper advertising.

Icists, the independent committee which supervises standards of telephone information services, has recommended banning newspapers from printing advertisements which include "pictures or words of a sexually suggestive nature, which are unacceptably offensive".

Chatline advertisers placing such ads in newspapers would lose their

licences with British Telecom, Mercury or Racal. However, "top-shelf" publications such as *Penthouse* or *Playboy* could run the ads. The *Sunday Sport* and its thrice-weekly sister title, *The Sport*, would lose significant advertising revenue unless it agreed to be displayed on newsgroups' top shelves along with pornographic magazines.

David Sullivan, the publisher of *The Sunday Sport*, declined to comment. Lord MacGregor of Durris, chairman of the Press Complaints Commission, the new press watchdog, has said that he would like to see the *Sport* titles classified as top-shelf

publications. The old Press Council had recommended that retailers treat it as such.

The Calcutt report into privacy and the press gave newspapers one last chance at self-regulation before facing statutory controls. Icists, chaired by Louis Blom-Cooper, QC, former Press Council chairman, will make a final ruling on March 22.

BBC Enterprises, publisher of *Radio Times*, has lodged a complaint with the Office of Fair Trading over "anti-competitive practice" by its main rival, *TV Times*, which has cut its cover price from 50p to 25p. The BBC has kept the price of *Radio Times* at 50p.



Third appeal by Birmingham Six: Breda Power, daughter of Billy Power, one of the six, outside the court yesterday as the hearing started

Soap can trigger crucial explosives test

By STEWART TENDLER AND FRANCES GIBB

SOAP can produce a positive result in the test used by the Birmingham Six to show several of the men handled explosives, the Court of Appeal was told yesterday.

Opening the third appeal mounted for the six, Michael Mansfield, QC, representing five of the men, told Lord Justice Lloyd and two other judges new evidence had emerged in the past month which went to the heart of the case. The test which Dr Frank Skuse, a Home Office forensic scientist, used to show the men handled nitro-glycerine was "now regarded as thoroughly unreliable".

Sixteen years ago the six men were sentenced to life imprisonment for the murder of 21 people in IRA bomb attacks on two Birmingham public houses. The men - Gerry Hunter, Richard McIlkenny, Hugh Callaghan, Billy Power, Paddy Hill and Johnny Walker - were convicted on evidence including tests showing three of them had been in contact with nitro-glycerine.

Last week, counsel for the Director of Public Prosecutions announced that the men's convictions were no longer considered safe and satisfactory. The DPP could not rely on scientific or police evidence on confessions.

The Court of Appeal was convened at the Central Criminal Court for the hearing yesterday and the six men sat together in the dock concentrating on events which are expected to lead to their release within days. They filed into Court 8 smiling and waving to relatives in the public gallery.

Counsel sat behind large piles of files and statements recording events as far back as the men's original trial at Lancaster Crown Court in 1975. Sir Allan Green, the

DPP, was in court and John Evans, chief constable of Devon and Cornwall and the head of the police team that investigated the convictions, sat with his men.

Mr Mansfield told the court that new work by Dr John Lloyd, a scientist, showed the constituents of soap could give the same positive results as the tests by Dr Skuse. Mr Mansfield outlined details of the new research as he began an appeal against what he said was "a grave and abiding



Mansfield: "Shadow cast over police honour"

miscarriage of justice". It was brought about "in the wake of the emotional turmoil after the bombings and what is seemingly a rush to justice."

There was only a month between the conviction of the six and their trial in 1975. "Once the dye was cast," counsel said, "it proved very difficult to unravel the twists, the turns, the contortions of the evidence." Only in the past year had it been possible to unravel the evidence with the help of fresh scientific discoveries and techniques.

The evidence of Dr Lloyd showed the deficiencies at the centre of the case. Mr Mans-

field said that apart from Dr Lloyd's work there were also the results of electro-static document analysis, which showed police notes were not what they claimed, especially in the case of McIlkenny. Mr Mansfield said they were not contemporaneous and "a very grave shadow has been cast over the honour and integrity of the police carrying out investigations."

The officers particularly involved in the McIlkenny investigations were Detective Superintendent George Reade and police officers Colin Morris, Terence Woodwise and Rex Langford. There have been fabrication of notes and perjury. Turning in detail to the scientific evidence Mr Mansfield said the court would say in the light of the material that the convictions of the men could not be safe or satisfactory. There was no evidence any of the men ever touched explosives and the evidence of Dr Skuse was unreliable and erroneous.

The scientific evidence was a crucial and critical factor in the case. In the original trial it offered an area of apparent certainty to a jury faced with absolute contradictions between police and defence evidence. Evidence that Power, Hill and Walker had handled explosives were virtually indisputable. Dr Skuse carried out tests on five of the men using a technique called the Griess test, and a number of laboratory techniques. He got a positive reading for Power

and Hill using the Griess test and a faint result with another test on Walker.

The Griess test should have been regarded as nothing more than a field test. A new report by Dr Alan Scaplehorn, a Home Office scientist, made it plain there should have been a series of tests, Mr Mansfield said.

Hugh Black, an explosives expert who gave evidence at the original trial, had made that point suggesting the Griess test was only a preliminary sorting test. Dr Black had been criticised by the trial judge, now Lord Bridge. Dr Skuse was accused by Mr Mansfield of having "moved the goalposts" when his scientific test for nitro-glycerine on the men's hands came under scrutiny. As a result, no one would now know what he had really done during those tests. His tests first came under scrutiny during research for a television programme in 1985, Mr Mansfield said. It was then that the first problem arose: "What were the conditions operated by Dr Skuse?"

Scientists carrying out research for the programme were forced to look, therefore, at what Dr Skuse had said at the original trial. His first point had been that his test excluded nitro-cellulose and second, that what he did was at room temperature. But just as important as what he clearly stated at the trial was what he did not say, Mr Mansfield said. First, he

had not made clear that he had developed his own test to determine nitro-glycerine instead of the Griess test. "He was not saying, first of all, that his test was not the Griess test but was the Skuse test." Second, Dr Skuse was not saying anything about his test having been conducted below the level of room temperature.

The latest evidence, a report by Dr Scaplehorn and Dr Lloyd raised a new point, the rate of decay of nitro-glycerine, Mr Mansfield said. The effect of this was that, given the ten-hour time lag before swabs were taken from the men's hands, there would have needed to be as much as one ounce of nitro-glycerine on their hands to produce five micrograms after the delay. If that had been the case, the men would have been ill through absorbing large amounts of the substance through their skin.

Herbert Bamford was one of Dr Skuse's colleagues. On the night of the bombing he went to Liverpool and checked every single passenger on a ferry to Ireland. Two of them produced a positive result but he attributed this to adhesive tape they had been bandaging to tie up parcels and he tested a piece of the tape. But Mr Mansfield said the evidence from Mr Bamford had not been handed to the defence until last November.

The hearing continues today.

Lord Scarman, page 10

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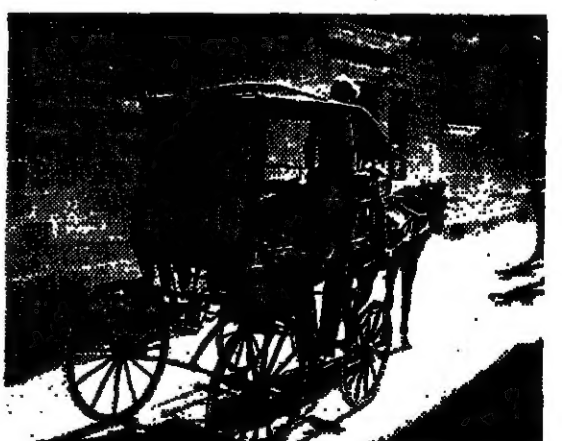
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AIR MALTA MALTA GOZO & COMINO

Baker rejects Labour call for talks on anti-terror act

By PETER MULLIGAN AND JOHN WINDER

POLITICAL tensions over the Prevention of Terrorism Act grew yesterday when the home secretary rejected Labour calls for all-party talks on its replacement and urged MPs to vote to continue it.

Kenneth Baker was accused of turning the annual debate on the act's renewal into a party political occasion after telling Roy Hattersley, shadow home secretary, that rhetoric, invective and sophistry against terrorism were not enough. If the act were not continued, there would be rejoicing in the ranks of the IRA.

Mr Baker announced that a new police group had been set up to improve co-ordination between the metropolitan and provincial police forces for dealing with terrorism. He also said that he planned to bring in regulations soon that would put into effect tougher controls on the acquisition, carriage and possession of explosives.

The act allows the police to detain suspected terrorists for up to seven days without charge and allows the home secretary to exclude them from the mainland.

Mr Baker said that there had been more terrorist incidents on the British mainland last year than at any time since 1975. Three people had died and 56 had been injured. In Northern Ireland, 76 had died and 906 had been injured.

He accepted that Lord Colville of Culross, in a review of the working of the act, had come down on balance against the power to exclude people from the mainland, but he added: "We have to face the facts". Information often came from sources whose identities could not be disclosed to a court without risk to their lives. "Where we cannot charge, we have to exclude", Mr Baker said. There were 97 exclusion orders in force. "Those who would not continue with this act in force would allow known terrorists to walk our streets with the police powerless to intervene."

He ruled out a Labour call for a national agency for the prevention of terrorism. One already existed, he said, in the Metropolitan Police special branch that had national responsibility for intelligence about Irish republican terrorism throughout Great Britain. Last year, the head of the anti-terrorist branch had been appointed national co-ordinator of the Provisional IRA investigations.

To increase the effectiveness of that arrangement, a small dedicated group had been created last October. That was an important development greatly enhancing co-ordination between the Metropolitan Police and provincial forces.

Mr Baker said that there was precious little evidence of law-abiding citizens being alienated by the act, as Labour claimed. They were, however, alienated by terrorist bombs placed in litter bins to kill passers-by.

He called on Labour to change its position, adding that Mr Hattersley could forge a bipartisan approach by supporting the act's renewal. This was not a time for sophistry.

Mr Hattersley said that the disagreements that would characterise the debate should not prevent Mr Baker from accepting his offer of inter-party talks, nor make them impossible or undesirable.

There was much evidence to suggest that the act had become counter-productive. In other parts of Europe, people held without charge were subject to court hearings and that was what Labour and the European court were asking for. If there were to be a judicial review of detention, after 48 hours, before an extension, Labour would look at the matter in a different perspective, for then the rule of law would be operating, rather than the rule of ministerial diktat.

It was now irresistible that some new tribunal should be set up to oversee the powers. Nothing but a bold initiative seemed likely to deflect the divergence of procedure between the rest of Europe and the United Kingdom. Steps against terrorism must be consistent with belief in a free society and must be effective.

Mr Hattersley concluded with a list of ideas for action. These included accepting the view of the European court and Lord Colville that detention should be extendable, but only after the case has been reviewed by a judicial tribunal; exclusion orders should be banned; there should be tougher measures against terrorist funds; they should introduce the Colville suggestion of video-recording of interviews with all suspects in custody; and internment should be removed from the statute book.



Photo-opportunity: Michael Heseltine, environment secretary, and Lord Salisbury, chairman of Sainsbury's, at the launch yesterday of a government leaflet about how to be green. The leaflet, *Wake Up*, which is aimed at the millions of people who have not joined environmental groups nor yet become concerned for the fate of the planet, offers advice on how they can protect or improve the environment, covering areas such as shopping and recycling waste (Michael McCarthy writes). The launch took place at Sainsbury's supermarket at Nine Elms in south-east London; the leaflet will be distributed through supermarket chains.

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Official admits accounts disasters

By RICHARD FORD

ERRORS of judgment and mistaken staffing arrangements were admitted yesterday by the top official at the Foreign Office as he explained disasters in the department's accounting procedures.

Conservative and Labour MPs criticised muddle and incompetence in the Foreign Office which meant that it could not submit accurate accounts for last year. Sir Patrick Wright, permanent under secretary at the department, agreed that it was a serious matter that the comptroller and auditor general had been unable fully to approve four accounts in the department for 1989-90.

The disruption in the department's accounting system was traced to 1987 when the Foreign Office decided to replace its computerised payments and accounts system. The accountants Price Waterhouse were hired as consultants and they recommended buying a package from Memory Computers Ltd, but the firm was unable to meet deadlines and went into liquidation.

Sir Patrick agreed that officials at the department had been unable to manage the programme itself. It had been a fundamental mistake for officials not to adopt a standardised system of computer project management, he added.

The department had lost its entire bookkeeping staff during the period of the change to the new accounting system. "We should not have allowed so many staff to change,"

He told the Commons public accounts committee that it

had been unwise to rely too much on staff in the finance department who operate on the same basis as those in the diplomatic section and have periods of duty at home and abroad. "We are trying to move to an arrangement where we rely on non-mobile staff," Sir Patrick added.

There was no evidence that fraud had taken place, though he said that a cashier had been suspended and charged with theft after £8,000 in cash and £23,000 in cheques had been missed. The sums had been recovered.

MPs back prime minister in plea to end sanctions

By SHEILA GUNN, POLITICAL CORRESPONDENT

BRITAIN should phase out economic, sporting and cultural sanctions against South Africa and increase contacts at all levels, the Commons foreign affairs committee said yesterday. South Africa should also be readmitted to the Commonwealth once a multiracial democracy was set up in Pretoria.

The cross-party committee's enquiry into southern Africa supported the efforts of the prime minister to persuade other Commonwealth leaders to dismantle sanctions rapidly once the remaining cornerstones of apartheid are removed this year.

The MPs recommended: ☐ the removal of all economic sanctions after the final apartheid laws are repealed; ☐ the revival of sporting links as sports become genuinely multiracial; ☐ pressure on America to restore South Africa's access to the International Monetary Fund; ☐ the retention of sanctions on the arms trade and on military contacts until all South Africans have the right to vote under a new constitution; and ☐ the end to cultural and academic boycotts operated by Equity, the Musicians' Union and the Association of University Teachers.

However, the committee split over the timing of the removal of sanctions, with some Labour MPs urging a slowing process. The committee said: "It still requires considerable imagination to see how we can reach the point at which free multi-party elections will be held in war-torn Angola and Mozambique or in a violent South Africa. Yet the impossible now seems possible."

The committee was convinced that the Pretoria government recognised that apartheid was not acceptable in theory nor workable in practice. "That recognition makes it highly unlikely that the current reforms will be reversed under the present administration."

The Anti-apartheid Movement said that the committee had missed a valuable opportunity to speed the peace process. "By advocating sweeping away all sanctions once three apartheid Acts are repealed, it proposes minimising the very pressures which have brought the South African regime to negotiate."

House of Commons foreign affairs committee first report: *UK Policy Towards South Africa and the Other States of The Region* (Stationary Office, £14.80)

Black leaders, page 9

Parliament today

Commons (2.30): Questions: Health; prime minister. New Roads and Streetworks bill, second reading.

Lords (2.30): Community Changes (Substitute Setting) bill, committee. Motion to continue Prevention of Terrorism Act.

Kinnock unsure about his 'free' supper

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

THE Supper Club, the clandestine Labour grouping whose secret moves to change the leadership stance on the Gulf war were disclosed last month, has gone back to ground though it remains alive and well.

Neil Kinnock, the Labour leader, has been invited to attend one of its meetings, usually held in a public house or a private meeting room at Westminster. He is believed to be pondering the offer.

Far from being silenced by the furor surrounding the disclosure of the minutes of a Supper Club gathering that voiced considerable misgivings about Mr Kinnock's position, the group looks destined to grow in influence.

One prominent soft-left member of the shadow cabinet has applied to join during the past couple of weeks. In any case, the shadow cabinet representation is larger than was thought at first.

Those disclosed so far as being members are John Prescott, Michael Meacher and Jo Richardson. But Margaret Beckett, the shadow Treasury chief secretary, has been a member almost since it was formed three years ago, and owned up to Mr Kinnock when the storm broke recently.

She had good reason to be thankful to the group. The year before last the Supper Club had its own informal "slate" for the shadow cabinet elections that saw Mrs Beckett elected for the first time. She was on the slate and the group is said to have worked hard on her behalf. Members say that there was no slate last year.



Fisher: minutes decision led to exposure

as a reaction to the growth of the Tribune group into what its detractors call a leadership support faction. Taking its lead from the Conservative whips' office, which allows any of its members to blackmail any potential recruit who causes him offence, membership is by invitation only. Any recruit must be acceptable to all members. The proposal that Mr Prescott should join was not given automatic acceptance. According to one member: "There was a lot of soul-searching over John". The club usually meets in the Westminster Arms, by Central Hall. Its members,

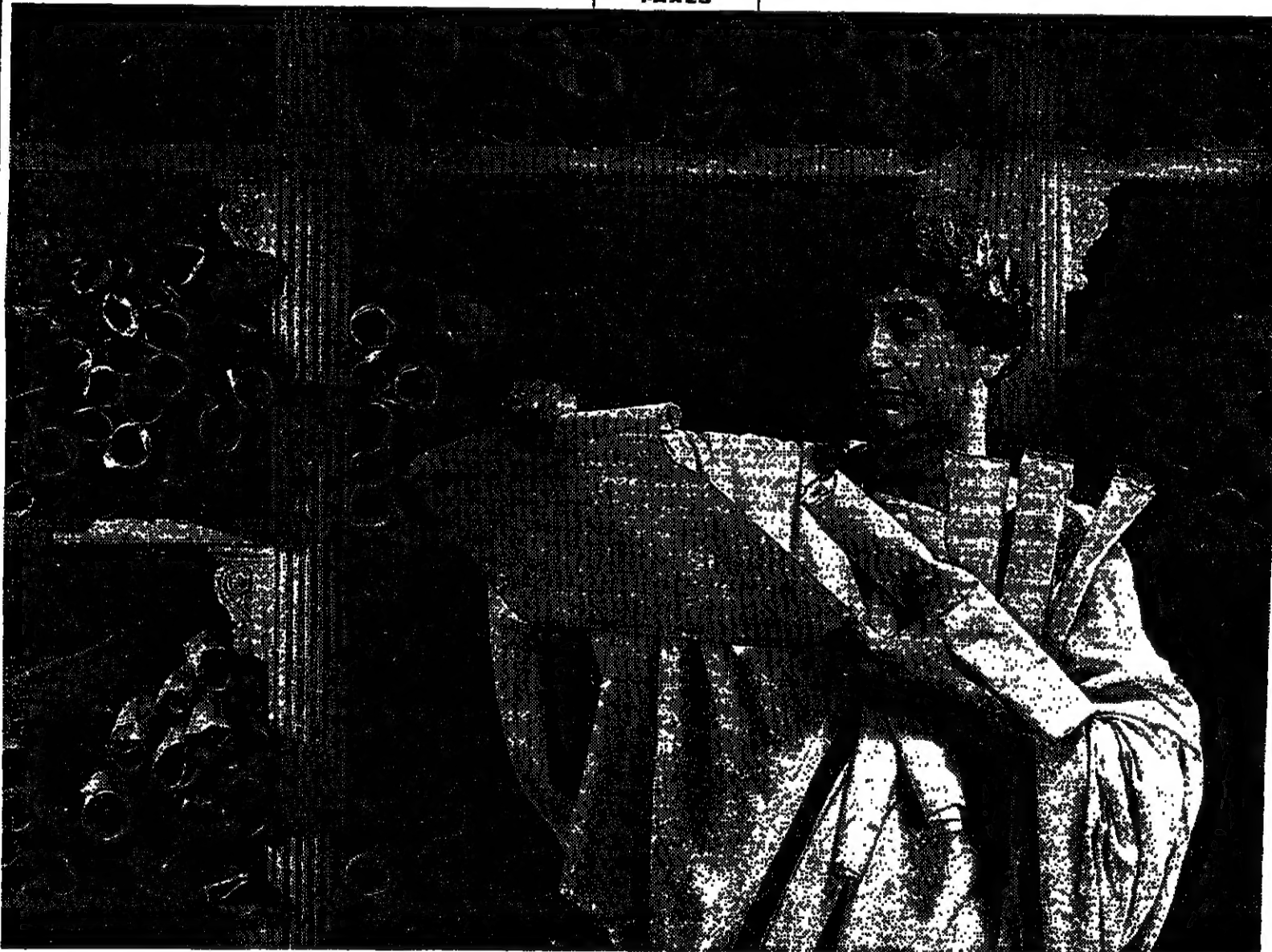
all devotees of the Kinnockite soft left, are happy in each other's company. They meet to talk about the issues of the day and feel free to voice constructive reservations about leadership policy without fear of being reported to Mr Kinnock for disloyalty. The Tribune group had become too big and unwieldy and, according to one Supper Clubber, unsafe.

The club would have continued undetected had not Mark Fisher, the arts spokesman, thrust unexpectedly into the chair normally occupied by Clare Short for that fateful meeting, decided to take minutes and distribute them to members.

Nearly all the members would regard themselves as friends or sympathetic political colleagues of Mr Kinnock. According to one of its members it is the sort of group he would have joined had he not been party leader. He had known of the group's existence.

As far as can be ascertained, the only member who suffered his wrath face to face was the unfortunate Mr Fisher, who was seen trudging disconsolately from the leader's office. Mr Kinnock did not mind the group meeting. What upset him was its decision to take and record formal decisions. In conspiracy-conscious Westminster that was an act almost certain to lead to discovery.

And will Mr Kinnock be going to the Westminster Arms for a pic and a pint? Perhaps not. He said last night: "My door is open and they do not even have to pay for the coffee. There is — to coin a phrase — no such thing as a free supper."



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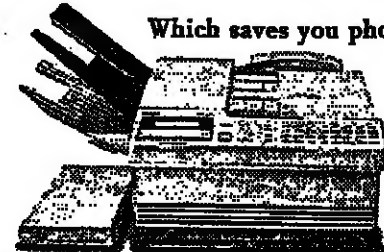
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Palestinian problem remains hardest piece to fit in jigsaw

TWO issues will dominate the Middle East as Western politicians scramble to assemble the pieces from the Gulf conflagration to build a lasting peace: a regional security structure and the future of the Palestinians.

The first is the priority in the immediate aftermath of war. James Baker, the US Secretary of State, is now telling Arab leaders what he has discussed extensively with Douglas Hurd, the foreign secretary, and fellow European leaders — that the West has no intention of maintaining a permanent military presence in the area. The security of Kuwait and other small Gulf states must be the prime responsibility of the peoples of the region, the West believes.

The basis for such a structure is to be an enlarged and strengthened Gulf Co-operation Council (GCC), the regional economic grouping led by Saudi Arabia which includes Kuwait, Oman,

Bahrain, Qatar and the United Arab Emirates. Already Egypt and Syria are now linked to the GCC, and any regional force might include a substantial number of Egyptian troops, giving it a financial stake in the region's security. The disadvantage is that Egyptians are held in low esteem in the Gulf, a potential source of friction.

Sultan Qaboos of Oman drew up plans last December, but these have advanced little since then. Britain would like to see a Gulf-based security structure set up as soon as possible and is prepared to help with training or naval visits. There is now some urgency; Mr Hurd and Mr Baker have insisted that all British and US land forces will be withdrawn as soon as possible.

France would like the United Nations to play a more active role in peace-making and peace-keeping. President Mitterrand believes that it should not be left to

The time when the big powers acted as regional policemen has passed. Now the Arabs and their neighbours must settle outstanding issues, Michael Binyon writes

the US-led forces in the field to determine the peace, which he and some Arab leaders fear could become an imposed Pax Americana that excluded the Soviet Union and could turn Arab public opinion against the West. They favour a transitional UN force to give Kuwait an international guarantee from attack. The mandate could last until the forces were replaced entirely by Arab troops.

Other Europeans who played a smaller role in the war are warning to a Spanish-Italian proposal for a Helsinki-type Conference on Security and Co-operation in the Mediterranean (CSCM). Gianni De Michelis, the

Italian foreign minister, launched the idea in the autumn, arguing that CSCM could be an overarching structure that combined the interlocking issues of security, economic development, regional conflicts, emigration and the strained relations with Europe.

Britain was initially cool to the idea, believing it too grandiose and unwieldy. But Mr Hurd now says it could be a useful procedure to get talks going in the less contentious areas before tackling the Arab-Israeli conflict.

The future of the Palestinians is the other core concern that now tops the international agenda. The war has stiffened the resolve of the West to lance this source of

poison to the region. Arab members of the coalition are reminding Western leaders that they promised speedy action after the end of the war. Arab public opinion now expects no less.

But the issue looks more intractable than ever. Israel is in no mood to make any concessions and will refuse to be pressured into attending an international peace conference. The Israelis have gained from their restraint during the war, have won money and sympathy from the West, and can count on a strong lobby in the US Congress to block anything Mr Baker may do to get his ill-fated prewar peace plan off the ground.

The Palestinians are demoralised and leaderless. Their support for Iraq has cost them dear in the West and most of the Gulf. Yasser Arafat's leadership of the Palestine Liberation Organisation has virtually ruled it out as a negotiating partner, and there is

no clear mechanism for finding acceptable Palestinian representatives. Even King Hussein of Jordan, ironically now seen by many Palestinians as the man to procure the best deal for them, has many bridges to rebuild before he can count on international support.

The West is divided on how to proceed. Europe, including Britain, wants to convene an international conference that would quickly lead on to negotiations with the Israelis. Washington still sees no role for the Soviet Union in the process and prefers a series of bilateral talks between Israel and its neighbours.

Many Arab states are now ready to abandon the Palestinian cause. Egypt has re-emerged as a strong regional power. Its new triangular alliance with Saudi Arabia and Syria brings together the largest, richest and most fervently nationalist of the Arab countries and they may be pro-

pared to make a regional settlement with Israel above the heads of the Palestinians. But this could be at the expense of stability in Jordan, and would leave a deeply embittered Palestinian diaspora.

The West is fearful that even a concerted effort to resolve the issue will run into the same obstacles as all previous Middle East peace plans. The influence of the United States now wields could quickly dissipate — especially if the Soviet Union, believing its interests in regional peace and stability have been ignored, reverts to a hard line and encourages Arab rejectionists.

European countries see a radicalised North Africa in turmoil and fear the continued destabilising influence of President Saddam Hussein. Europeans — especially the French — are eager to play a more independent role in the region again, but know that they must co-ordinate their moves with Washington.

KUWAIT

Prince returns full of thanks to Bush for Iraqis' defeat

FROM LEO JENKINS IN KUWAIT CITY

KISSING the ground and praying silently to Allah, Crown Prince Sheikh Saad al-Sabah of Kuwait returned home yesterday from seven months in exile, the first member of the ruling family to return after the liberation.

The crown prince, who is also the country's prime minister, dropped to his knees on the tarmac of Kuwait airport, cupped his hands as if holding the Koran, and prayed briefly after stepping off a Saudi military C130 transport plane.

As the most visible symbol of the stability of Kuwait returned, elsewhere in the emirate Tom King, the defence secretary, was passing on the thanks of a grateful Britain and promising a speedy return home to UK troops during a flying visit to headquarters of the 1st Armoured Division camouflaged in the desert 25 miles northwest of Kuwait City. Distinguishable by his open-necked shirt and casual trousers from army officers in their light-weight desert uniforms, his buoyant mood went unnoticed by the troops relaxing in their boxer shorts.

The visit was informal without military parade, ceremony or show, allowing the soldiers to unwind after their speedy advance through the desert.

Mr King said every effort would be made to begin moving British troops home a fortnight after a formal ceasefire was announced, with the first arrivals to be the first departures.

"We will get them home just as soon as we can, once we are satisfied that the ceasefire is real and that the job has been done. The worst mistake we could make at this moment of success would be suddenly to let it slip by, rushing and reducing our defences, letting our guard down just when somebody tried to undermine that success," he said at a press conference held under a camouflage net. "We have come a long way. We have invested a tremendous amount, a lot of people have invested really their lives. We are not going to throw it away at the last minute by letting our guard down."

A Kuwaiti government official said the emir, Sheikh Jaber Ahmed al-Sabah, is expected to return from exile in the western Saudi city of Taif in a few days.

The crown prince, wearing a brown ceremonial robe trimmed in gold and a white head-dress, waved to the crowd of 200 people. "I am happy to be here," he told the crowd of mostly Kuwaitis and American military personnel. But for Edward Gneim, the American ambassador, he had a special word of thanks. "I thank you, I thank the United States and I thank the president. Thank you. Thank you," Mr Gneim quoted him as saying. "I told him in Arabic, 'Welcome home, a thousand congratulations.'"

"We hope it will be a new era for Kuwait," Abdul Rahman al-Awadi, the minister of state for cabinet affairs, said. As news of the prince's arrival spread through the city, Kuwaitis filled the streets in flag-bedecked cars, clogging the sea-side corniche drive. "Is it true, is it true?" yelled one Kuwaiti soldier at a passing car as

gunshots from resistance fighters filled the air.

Mr al-Awadi said Kuwait was not concerned about the possibility of a post-war Islamic revolution in Iraq. "We have no problems with any Islamic group," he said. "I hope not. I hope the instability means they will have a new leader."

Mr King said that concrete evidence of Iraq's commitment would be the release of prisoners of war, detainees and the bodies of those who died, as well as a declaration that they renounce their claim to annex Kuwait. There would also have to be no further hostilities or Saudi attacks.

Mr King said: "We shall judge them by their actions," adding that he would assume that all POWs had been treated according to the Geneva Conventions unless given proof to the contrary. "If they were not, it would be a very serious matter indeed."

He said he did not envisage stationing British ground forces in the area, although a naval presence had been established for some years. "We now look to see the achievement of this remarkable campaign under the authority of United Nations, now to see the rebuilding of democratic free Kuwait, free from Iraqi aggression, now going forward to see peace at last in this troubled area."

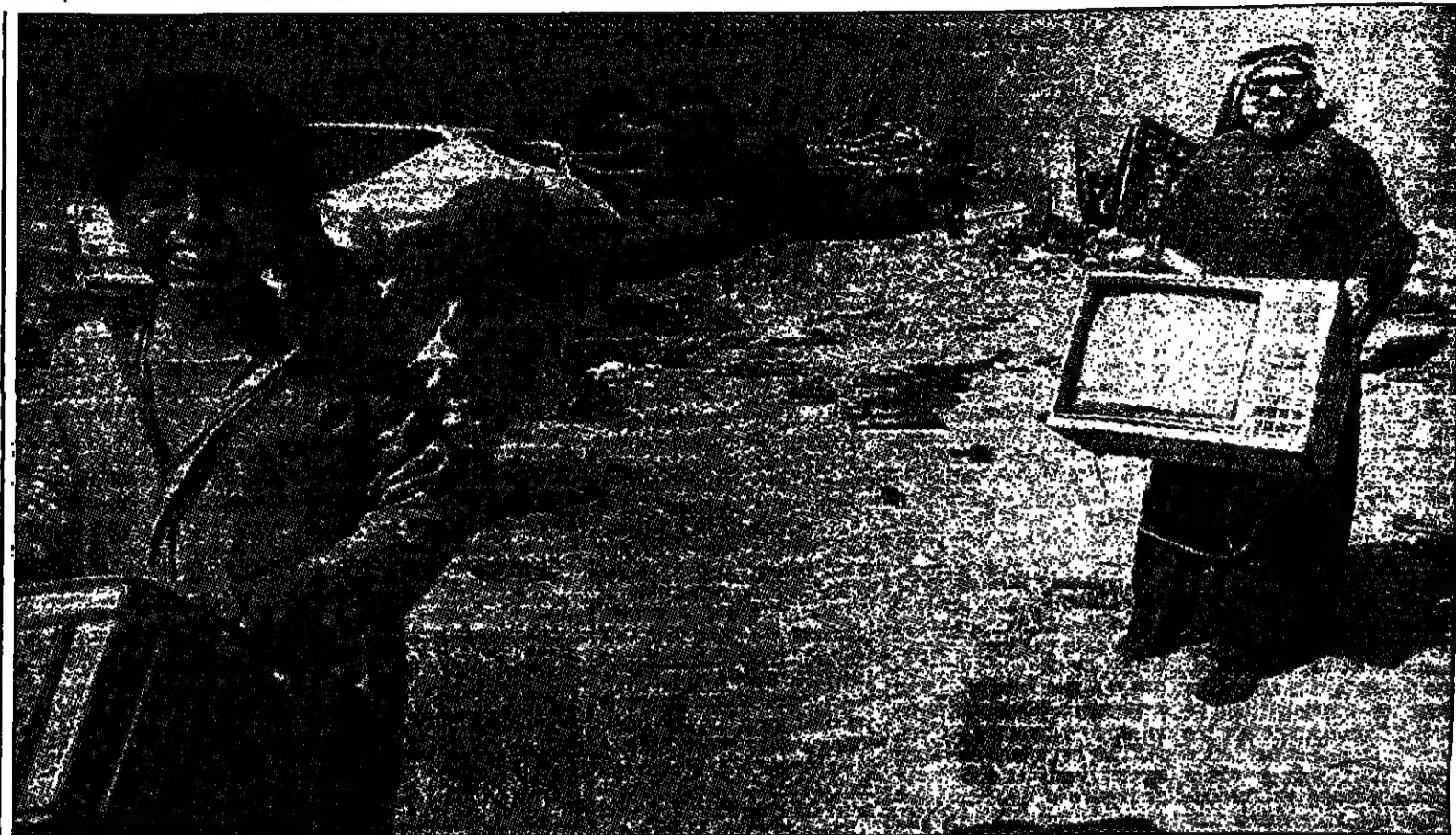
Mr King did not elaborate on what he saw as the political future for Kuwait, which before the invasion was not democratic, and faces growing internal pressure for a change in the political system.

The defence secretary spent ten minutes talking to Major-General Rupert Smith, commanding officer of the 1st Armoured Division, and Lieutenant-General Sir Peter de la Billière, the field commander of UK Forces Middle East.

Leading article, page 11



Royal homecoming: Sheikh Saad al-Sabah, the Crown Prince and prime minister, kisses the ground on his arrival at Kuwait airport yesterday



Looted take-away: Kuwaitis carrying away looted belongings from the destroyed Iraqi convoy near Kuwait City. Fleeing Iraqi troops took all they could from homes and offices in the last days of the occupation. In the five days since Kuwait City was liberated, little has been done to restore normality (Leo Jenkins writes). Although water supplies are

available for two hours a day, there is no evidence of this, and food remains scarce with no commercial traffic coming in by road, sea or air. Fuel is also scarce and costly. Nothing has been done to clear the debris which lies with broken glass and spent bullets in the street. The Kuwaitis continue to spend their

days nightmarish along the road to Basra where the burnt-out wreckage of the fleeing Iraqi convoy, with bodies hanging out of windows, remains like a frozen frame from a film. A 16mm carrow has been imposed, but power supplies are unlikely to be restored for some weeks. Many believe that essential services will not resume until the

hundreds of thousands of immigrant workers return from the Philippines and the Indian subcontinent. One Kuwaiti, well dressed and driving an expensive car, said: "There are not many of us here. The Kuwaiti people are not skilled and have been used to paying others to work for them, so there is really very little they could do here at the moment."

PALESTINIANS

Refugees in Amman throng round Kuwait embassy hoping to return

FROM ADAM KELLIER IN AMMAN

AS Palestinians thronged outside the Kuwaiti embassy in Amman hoping to return to the emirate, Abdel Karim al-Doughmi, the Jordanian labour minister, said yesterday that he hoped the estimated 300,000 Jordanians and Palestinians that had come to Jordan since the Iraqi invasion of Kuwait, creating an unemployment crisis, would soon be able to return there.

In other signs that Jordan was trying to regain itself after displaying pro-Iraqi sentiments throughout the Gulf conflict, the lower house of parliament toned down its scathing attacks on the coalition and dropped its condemnations of Arab and Muslim nations that assisted the anti-Baghdad drive.

There was also a mood of contrition among hundreds of

Palestinians who daily gather outside the Kuwaiti mission in Amman, hopeful for news that they can soon return to the nation where many lived and worked with a degree of affluence that they cannot find in Jordan.

Applicants deliver bouquets of flowers at the embassy. Since visas will not be granted for three months while the emirate gets back on its feet, men sheepishly queue to sign a congratulatory book.

This is the most political crowd in Amman, the only place where one cannot be bombarded with allegations of Western imperialist knavery against President Saddam Hussein's righteous Muslim cause. "I didn't hear Saddam's message to the Arabs," said Abdul Muhammad, aged 30, an engineer. "I only heard

[President] Mubarak's. But what Saddam did was a mistake. There are different ways to unite the Arab people."

All deny any pro-Saddam tendencies; many go curiously silent when asked if they held these views last week.

Those Palestinians hoping to return to Kuwait like to forget that the emirate counted only 22 "friendly" out of 180,000 Palestinian refugees during the occupation. Strident pro-Iraqi statements, smeared against the "decadent" ways of the Gulf Arabs, declarations that Saddam was delivering some sort of divine retribution on the Kuwaitis for being un-Islamic, were recorded by Kuwaiti diplomats throughout the occupation.

The bitter memories are at

high levels, as shown by Kuwaiti officials' swift dismissal of King Hussein's call last Friday for reconciliation in the divided Arab world, which included a salute to the return of Kuwait's independence. Some Palestinian leaders are predicting a vengeful massacre of their community in Kuwait.

Animosity between Kuwaitis and imported labour was largely because of restrictions that forbade Palestinians and others, even if born in Kuwait, from owning properties or businesses. Yet an oil-funded lifestyle of free health and education and unbridled consumerism still holds its attractions. Applicants were highly qualified in service or technical industries, and many had very bourgeois aspirations. "I would go to day, I would even walk there," said Willy Salem, aged 26, a manager of a restaurant. "The Kuwaitis have their own sources to pick up those who collaborated with the Iraqis."

Inside the plush embassy work is under way to decide between friends and enemies, a responsibility of Kuwait's interior ministry. One diplomat said that among Palestinians who remained in Kuwait about 50 per cent backed Iraq, 40 per cent were neutral, and 10 per cent actively assisted the Kuwaitis. Of the estimated 180,000 Palestinians who fled, only 22 were listed in Amman as people who declared their sympathy for the emirate and gave some assistance during the occupation, he said.

Kuwait's official position is that anybody found to be "negative" will be barred from re-entering, but otherwise all can return. However, bad blood doesn't wash away so quickly. "These people, they hate us from inside themselves," one Kuwaiti diplomat said. "I thank God that I was here to find out how they were not good to us. They did everything to keep Iraq in Kuwait. They always had the same comment: that we were so bad that God took away our state and we cannot go back."

Hardliners renew threat to Rushdie

London — Iranian fundamentalists have renewed calls for the swift implementation of the death sentence on Salman Rushdie, who has been in hiding since Ayatollah Khomeini, the Iranian spiritual leader, pronounced his fatwa in February 1989 (Michael Binyon writes).

A seminar of leading Iranian religious leaders ended yesterday with a resolution noting that the decree was immutable. According to Tehran radio, it said: "All Muslims and believers of religions were urged to ensure its speediest implementation". A charity group, 15 Khordad (June 15), doubled the reward to \$2 million (£1.05 million) for any associate, relative or neighbour killing Rushdie.

On Sunday, there was a small student demonstration outside the British embassy in Tehran against Britain's protection of Rushdie.

Parade go-ahead

New York — Less than a week after saying New York could not afford it, Mayor David Dinkins announced a week-long celebration in May for servicemen returning from the Gulf, including a Broadway ticker-tape parade. Representatives from Britain and other allies will be invited.

Iraqi pardon

Baghdad — Iraq said it was pardoning army deserters, draft-dodgers and soldiers who went absent without leave, Baghdad radio reported. Deserters in Iraq would normally face execution. The broadcast said those pardoned had a week to report to their units. (Reuters)

Stolen car

Rome — A Ferrari, stolen by an Iraqi general during looting in Kuwait City a few months ago, has been seized by Italian authorities in a Rome garage court sources said here. The theft was discovered when the new owner of the luxury car tried to apply for Italian registration papers. (AFP)

AMERICAN FORCES

Pentagon to reassess role of women in front line

FROM SUSAN ELLICOTT IN WASHINGTON

IF ONE person could symbolise the heroism and tragic loss of life in the Gulf war then an American army major, Marie Rossi, is a leading candidate. Rossi, a helicopter pilot with an easy charm, was one of the first American female soldiers to enter Iraq in the land battle. She won the hearts of her countrymen by leading a flight of five cargo-carrying CH47 Chinooks across the border from Saudi Arabia in the early hours of the offensive, often with 2,500 gallons of jet fuel strapped to the bellies of the aircraft.

The media snapped up the 32-year-old as a photogenic example of the wider array of roles played by women deployed to the Gulf. The US military found in her a perfect advertisement for equal-opportunity patriotism.

"What I am doing is no greater or less than the man who is flying next to me or in back of me," she joked as television began to turn her into a celebrity. "If you talk to the women, who are professionals in the military, we see ourselves as soldiers. We don't really see it as man versus woman."

One week later, Rossi has become a reminder of the cruel twists of fate. She died at the weekend when her helicopter crashed near the base camp of the 18th Aviation Brigade — one day after a ceasefire took effect. No reason had been given for the crash by late yesterday. Three crew members, including a pilot, also died, bringing to more than 100 the number of American troops killed in training exercises or actions unrelated to combat.

Rossi and four other female soldiers drew attention to the gradual blurring of the distinction between the US military's combat and non-combat positions that are, respectively, closed and open to women.

For the first time since the second world war, an American female, specialist Melissa Rathbun-Nealy, aged 20, was taken prisoner with a male colleague during a ground skirmish. Three other women died last week when an Iraqi Scud missile hit their barracks in Dohran.

Ms Rathbun-Nealy was released yesterday by her Iraqi captors with nine allied POWs in Baghdad in a goodwill gesture after a ceasefire agreement. But her assignment had set the stage for a reassessment of women's role in the military even before her release. The Pentagon has asked for reports on their role in a growing debate over the ban on allowing women to serve on the front line.

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IRAQ

Opposition splits reduce chances of rule by ayatollahs

By HAZHEH TEIMOURIAN

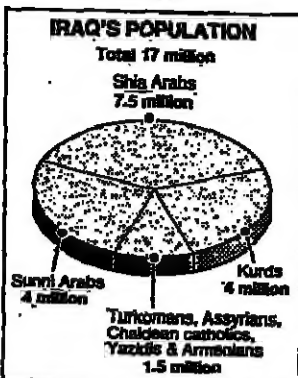
THE prospect of a popular revolution in Iraq has raised fears that such an upheaval might result in an Iranian-style Shia state which would embark on a new course of violence. There is also concern that Iraq might break apart from civil war or foreign intervention. Both fears are likely to prove misplaced, but should be examined.

The first is easy to dismiss. Although a majority of Iraq's Arabs belong to the same strand of Shia Islam as the bulk of Iranians, they only comprise 7.5 million of the 17-million Iraqi population. The remaining 9.5 million population consists of four million Sunni Muslim Arabs, four million Kurds and 1.5 million others.

Nor are the Shias homogeneous. The middle classes and the educated have been alienated by the association of their mullahs in exile in Tehran with the excesses of the Iranian leadership and are against the idea of an Islamic state in Baghdad. Some of them are likely to align themselves with the Sunni Arabs and the Kurds to prevent a future national assembly or government from being dominated by Shia fundamentalists. Some Shias are grateful to America for its decisive intervention in Kuwait that may result in the overthrow of the Baathists and President Saddam Hussein.

The second fear is more difficult to dismiss, largely because the opposition is alienating the Iraqi Kurds by its disagreement about the degree of autonomy that they should have in recognition of their separate national identity. The Kurds are therefore uneasy about their future in a post-Baathist Iraq.

Kurdish leaders, in the in-



from coming into being. This, it is thought, might force Iran and Syria to intervene in other parts of Iraq to safeguard the interests of the Shia and Sunni Arab communities respectively in Iraq.

In any case, it is most unlikely that Baghdad, under whatever leadership, would allow the Kurds to regain the northern oil fields of Kirkuk, confiscated by Saddam. Any breakaway Kurdish state would be a poor, landlocked country of hill farmers lacking any major source of wealth or industry. This has not escaped Kurdish leaders.

An Iraqi state trying to rise out of the ruins of today could ill afford a guerrilla war with its Kurds. Nor, despite the limited autonomy on offer from their allies in the opposition, do the Kurds have much incentive to start another bout of fighting that could attract international military aid to Baghdad to turn it into a repressive power once more.

interest of presenting a united front to Iraq and the outside world, agreed in Damascus in December to form a joint action committee of the Iraqi opposition with all other significant political parties and personalities. But the insistence of Shia fundamentalists on emphasising "the nationhood of the house of Islam", rather than on ethnic or cultural differences, meant the gathering could only agree to grant the Kurds very limited autonomy. The 17-party alliance is meeting again this weekend, in Beirut, but it is unlikely that the Shia clerics will change their stance, particularly since their followers' participation in the uprising in Basra has enhanced their status.

The united opposition of all the neighbouring states, particularly Turkey, to the creation of an independent Kurdish state is an important factor against the Kurds' chances of breaking away from Iraq, Turkey, where the writing of a love poem in Kurdish remains an offence punishable by imprisonment or exile, is worried that the Iraqi Kurds' talk of democracy might ferment unrest among its Kurdish population of up to 15 million.

Turkey has said that it would intervene to prevent a neighbouring Kurdish state



Landscape of fire: an American Chinook helicopter observing the flames from some of the 600 Kuwaiti oil wells set ablaze by the Iraqi army

TV crew tells of brutal treatment in captivity

By BILL FROST

NERVOUS, red-eyed with fatigue, and painfully thin, the four CBS television journalists taken prisoner by Iraqi troops early in the Gulf war after crossing into occupied Kuwait, yesterday described the brutal treatment meted out to them by their captors.

The crew were blindfolded, kicked and constantly beaten during their 40 days in captivity, Bob Simon, the network's Middle East correspondent, said. Mr Simon was singled out for particularly harsh treatment because he is Jewish. "They accused me of working for Mossad, Israeli intelligence, and I was sure all four of us would be killed."

Peter Bluff, aged 46, the

crew's British producer, said Iraqi troops had tried to break him by suggesting he would meet the same fate as Farzad Bazoft, the Observer reporter hanged in Baghdad last year for alleged espionage. Mr Bluff, like his three colleagues, was kept in solitary confinement for some time. Then he heard another British voice elsewhere in the cell block. "I

now know it was John Peters, the RAF pilot who has just been released by the Iraqis. But, then, in that awful place, to hear his cheery, clear voice chatting to his fellow PoWs, was wonderful."

Roberto Alvarez, the cameraman, and Juan Caldera, the sound engineer, said the worst moment had come when the prison where they were being

held was hit by US bombers and they crouched in a corner as rubble fell on them and half the cell disappeared.

Asked why he had taken the crew on such a perilous assignment in contravention of allied reporting restrictions, Mr Simon said: "We were not after an enormous scoop. We just wanted to check out what was going on at the border."

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†Brewery Transport Advisory Committee, September 1990.
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Man in the news

Death of tyrant's son will bring joy

By HAZHEH TEIMOURIAN

IF THE news of Uday Saddam Hussein's death at the hands of anti-Saddam rebels in Basra were to be confirmed, it would bring secret smiles to the faces of many long-suffering workers in his father's palace-bunker, let alone the rest of the country. Mesopotamia could not have produced heirs less lovable.

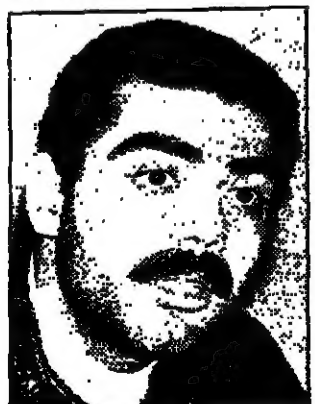
Born 31 years ago, Uday became notorious in 1989, when his father announced on state television that he would be tried for the murder of Saddam's favourite bodyguard. Uday had marched into an official party to club to death one of his father's closest confidants. All Iraqis were equal before the law, the progressive, egalitarian president announced. Saddam gave no details of the crime, but when Uday was being held

it transpired that the dead man, whose official position had been foodtaster to the president, had also been a procurer of women and the messenger between Saddam and his chief mistress. Uday had been enraged by his mother's humiliation when Saddam flaunted the affair.

Uday's mother, Sajida, demanded to know why Uday had been imprisoned. It was not the first time that he had killed, nor was he the only member of his family "who kills regularly".

Mother and son were sent to Switzerland, but they had to return when Uday was expelled after threatening a doorman with a gun. Saddam announced to the nation that his son had missed his beloved motherland. Judges pleaded with the president to drop the charge, as enquiries had shown that the killing had been an accident. Uday then became chairman of the Iraqi National Olympics Committee. It became known that he had killed two army officers whose daughter and wife he had molested on dance floors.

Uday volunteered for army service to play his part in the return of "the 19th province", and was said to have committed acts of particular barbarity against Kuwaitis who had not co-operated in the vanquishing of their country.



Uday Saddam Hussein: like father, like son

Basra turmoil, page 1

BRITAIN

Iraqis still held on security grounds

By QUENTIN COWDREY, HOME AFFAIRS CORRESPONDENT

A TOTAL of 65 Iraqis, classified as security risks, were still being detained by the Ministry of Defence and the Home Office yesterday.

Of the 33 civilian detainees, 12 are expected to leave the country shortly after unsuccessfully appealing against deportation, while 19 are awaiting appeal hearings or the results of hearings. In two cases, officials are making further enquiries.

A government spokeswoman said: "We hope that all the outstanding cases will have been completed by the end of the week." The detainees are being held at three prisons: Wormwood Scrubs in

London; Coldingley in Surrey; and Full Sutton in Yorkshire.

The MoD said 32 Iraqis, detained at Rolleston camp on Salisbury Plain, Wiltshire, would be released when a formal ceasefire was declared in the Gulf, and Iraq had freed all allied PoWs and Kuwaitis. Three Iraqis were released from Rolleston last week after an enquiry revealed that they were genuine students.

The Home Office said some of the Iraqis might claim asylum. "Arrangements for their release and repatriation will have to take into account various factors, including their willingness to go back to Iraq," the spokeswoman said.

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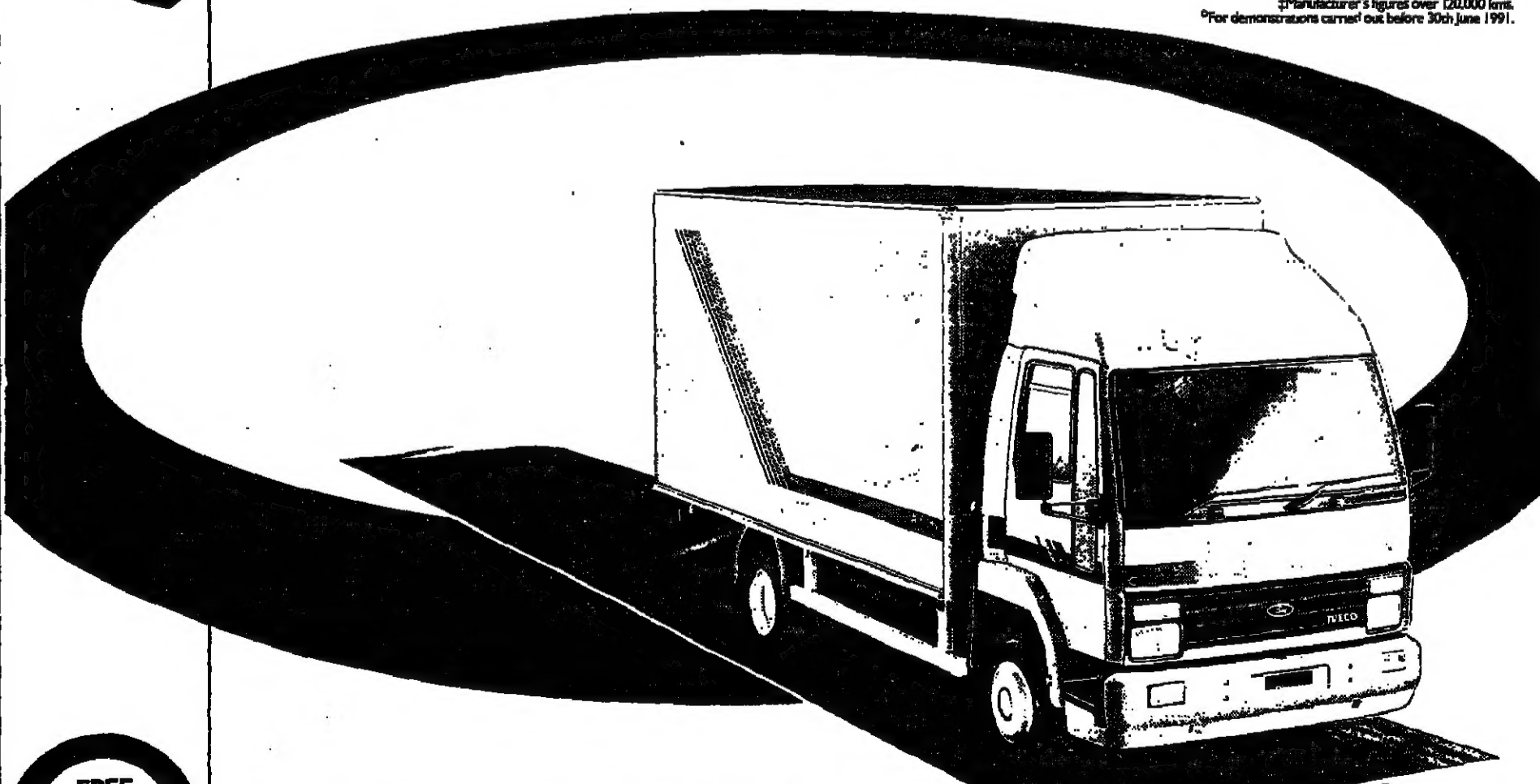
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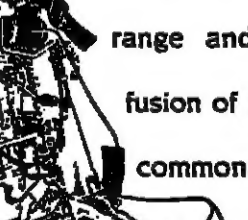
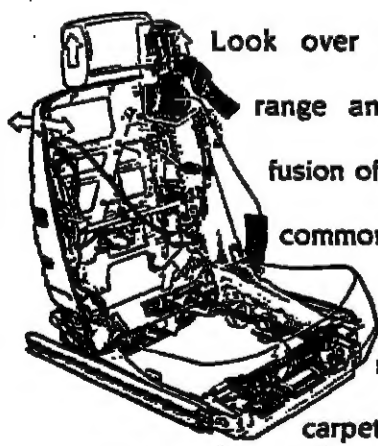
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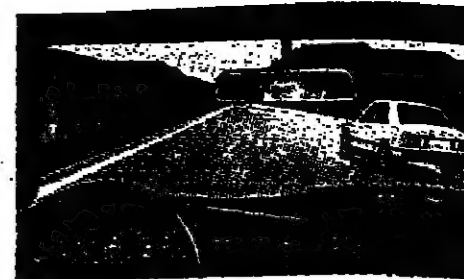
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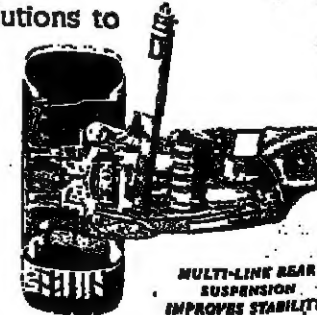
Once in the driver's seat, your hands fall onto an ergonomically satisfying steering wheel. And on the move, the power-steering assistance varies subtly to complement your own inputs at all speeds, and to ensure maximum feedback sensitivity – precision without exertion – another vital safety and comfort bonus. Yet another bonus is the simulator's ability to test driver reaction to stressful conditions. By learning how human beings actually react in emergencies, as opposed to how they believe they would react, Mercedes-Benz engineers are better placed to design car controls that will assist accident avoidance.

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Business



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Business sceptics decide to keep marks and Gorbachev apart



Genscher: Gorbachev remains the best bet for reform

GERMAN captains of industry are rapidly becoming disillusioned with President Gorbachev and sceptical of his reform programme. Despite continuing encouragement from the foreign ministry in Bonn to invest in the Soviet Union, German businessmen are no longer prepared to risk money to help prop up a leader in whom they have lost confidence.

While Hans-Dietrich Genscher, the foreign minister, continues to insist that President Gorbachev remains the best chance for ensuring that reform goes ahead, the business community is holding back, largely refusing to commit money and time to developing projects even with government support.

The lack of confidence among the very group of investors meant to lead Western support for

Soviet economic reform is exemplified by Wilhelm Christians, chairman of Deutsche Bank's supervisory board, who has ruled that the bank will finance projects only if the German government guarantees them. Herr Christians, who has just published a book called *The Way to Russia*, blames the struggle between central and regional state governments for the fact that there has been no development of trading capability.

A weekend conference in Düsseldorf of experts on the Soviet economy concluded that conditions were getting worse. Professor Stanislaw Shatalin, chairman of last year's economic reform commission in the Soviet Union, said that most political decisions were not being taken, while those that were approved were ruined by general corrup-

The very group of investors meant to lead Western support for Soviet economic reform is holding back through lack of confidence, Ian Murray writes from Bonn

tion or sabotaged by the administration.

According to Axel Lebahn of Deutsche Bank, there was almost an investment standstill now "because nothing works" and because the financial risks were too great. This applied not only to the Soviet Union but to eastern Germany as well, he said.

These views are widespread, according to a new Allensbach poll among the highest levels of German management. This shows that 61 per cent of industrial leaders now believe that President Gorbachev's eco-

nomics had no chance, compared with two-and-a-half years ago, when 74 per cent believed he would succeed.

Helmut Kohl, the German chancellor, has also lost popularity at home, according to the latest opinion poll. Three months after he led his coalition government to a comprehensive victory in the first all-German election, Herr Kohl is trailing his almost unknown challenger, Björn Engholm, leader-elect of the opposition Social Democrats (SPD).

The poll, by Forsa, the Dortmund-based research institute,

shows that 69 per cent of Germans in both western and eastern parts of the country are disappointed with Herr Kohl and only 31 per cent trust him. Some 43 per cent would vote for Herr Engholm compared with 34 per cent for Herr Kohl.

His rapid loss of popularity is mainly owing to last week's decision to introduce the largest package of tax increases in modern German history. Throughout the election campaign, the chancellor had emphasised that he would not need extra revenue to help pay for unification, but last week the government had to admit it miscalculated. Oskar Lafontaine, the SPD challenger who was comprehensively defeated in December, quipped that Herr Kohl was learning English by reading President Bush's lips.

Herr Kohl's popularity problems are not confined to the economy. The Gulf conflict showed German foreign policy to be in disarray, too focussed on East-West relations, which were themselves in need of a review. This has led to criticism from within Herr Kohl's Christian Democratic Union and its Bavarian sister party, the Christian Social Union, about Hans-Dietrich Genscher, the long-serving foreign minister, from the Free Democratic Party, junior members of the coalition.

Herr Kohl came to Herr Genscher's defence against these attacks at the weekend, but he is nevertheless worried that Germany has lost prestige and influence over the Gulf war and he is supporting an internal coalition debate on future foreign policy strategy. He is also rearranging his kitchen cabinet.

Black leaders try to save peace deal after Soweto killings

FROM GAVIN BELL IN JOHANNESBURG

RIVAL black politicians in South Africa are attempting to salvage a peace agreement after an outbreak of fighting between their followers in which at least 24 people were killed and 15 wounded.

The weekend clashes between Zulu and Xhosa-speaking workers at a Soweto hostel were the worst since Nelson Mandela, the deputy president of the African National Congress, and Chief Mangosuthu Buthe, the president of the Inkatha Freedom Party, agreed to end hostilities between their organizations in January.

Police said the violence was sparked by the death of a Zulu worker. They also reported that gunmen fired at Harry Gwala, a hardline ANC leader in Natal, as he was addressing a peace rally in the province. He was not injured, and there were no arrests.

As tension mounted between militants of the two sides, high-level delegations met near Durban in an attempt to restore peace. The ANC was represented by members of its executive committee, and Inkatha by members of its central committee and the KwaZulu legislative assembly.

Police are also investigating death threats against leading figures in the government, the

ANC, and multinational companies by a clandestine right-wing guerrilla group modelling itself on the IRA. A document purporting to identify targets of the self-styled Boer Republican Army is being circulated among Afrikaner extremists in the western Transvaal.

The death list includes President de Klerk and members of his cabinet, Mr Mandela and his ANC colleague, Walter Sisulu, security policemen and a senior advocate investigating right-wing activities. It also incites attacks against British and American diplomats and members of the British and American chambers of commerce.

The members of the republican army are instructed to find out when and where such persons are due to appear in public. The document says: "Herein the examples of the Irish Republican Army, who have been fighting against the British for hundreds of years, are very informative. Do get books on the subject." A spokesman for the law and order ministry said police had a copy of the document, and were checking its authenticity. "We take all threats of this nature very seriously."

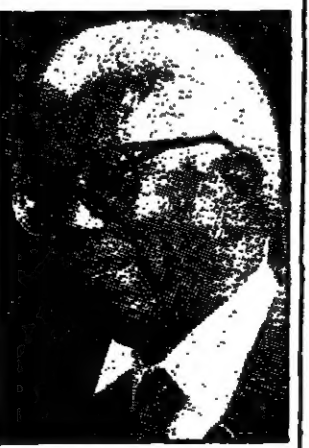
Meanwhile, four right-wing groups have called for an Afrikaner day of fasting to-

morrow in solidarity with nine of their members on hunger strike in prison. The detainees include Piet Rudolph, aged 55, the deputy leader of the Boerestaat Party, who has been refusing food and liquids for four weeks.

Mr Rudolph, a former Pretoria city councillor, was captured on September 17 and detained in connection with bomb attacks and thefts from state armories. He began his hunger strike in protest at the government's refusal to negotiate rights for an Afrikaner homeland.

Amid the political turmoil, an umbrella organization for anti-apartheid groups has decided to disband and form a non-aligned movement. The United Democratic Front, which acted as a surrogate for the ANC when the latter was banned, said it would cease to exist on August 20, its eighth anniversary. UDF delegates, their role largely overtaken by the ANC and other black political parties, resolved to create a new non-partisan organization to concentrate on community issues, and coordinate activities of civic, church and youth groups.

● Hanging blocked: The Pretoria supreme court yesterday granted a stay of execution on the eve of South Africa's first hanging in 15 months, human rights lawyers said. A spokeswoman for the abolitionist Lawyers for Human Rights said: "We have been given time to make further representations and further petitions on the basis of new psychiatric evidence." Paul Bezuidenhout, aged 22, a Coloured man convicted of stabbing to death a woman, aged 54, and a child, aged two, was due to hang at dawn today in Pretoria prison. He had been described by the appeal court as "completely depraved". The South African Council of Churches petitioned President de Klerk at the weekend to halt the execution, arguing that it would not serve as a deterrent.



Similar among names on far-right death list

Japanese unions seek cut in hours

FROM JOANNA PITMAN IN TOKYO

JAPANESE unions, representing the world's most docile workforce, are seeking a cut in working hours. A shorter working week, in a country where the ambitious have been known to work themselves to death, is the main objective in the annual spring labour-management negotiations. They also want wage increases of 8 to 9 per cent.

Media commentators are proclaiming that a younger generation of workers is breaking new ground by fighting for the right to relax. Previously unmentionable requests for leisure are being seriously considered, they say. Workers want more than seven days' holiday a year, they want to be home before midnight every night, and they want what one journalist termed "such innovations as the five-day work week".

Eiji Suzuki, president of Nikkeiren, the omnipotent business federation charged with controlling Japan's labour movement, has indicated that big pay demands would fuel inflation - consumer prices inflation ran at 4.5 per cent in the year to January - and are unlikely to be met, but that employers may bow to union demands for shorter working hours.

But employees dreaming of a fortnight on the beach with the family had better forget it, for the increase in leisure time will simply boil down to slightly decreased overtime hours. "There will be no extra holidays, just less chance to earn overtime pay," confided Hideo Owan of Nomura Research Institute, a private sector think-tank.

Employers are delighted with the unions' demand for a little leisure. Firstly, it serves as welcome ammunition to silence foreign criticism that Japan's labour force works too hard and, according to one European trade negotiator, "effectively exports unemployment".

Secondly, the labour shortage means that management will happily exchange their

employees' working hours for the cheaper services of part-time workers. Japanese workers clocked up an average of 2,052 working hours in 1990, some 400 hours longer than West European workers.

Having changed in like lions every year with fierce demands for wage rises, the unions have a reputation for accepting whatever is offered like lambs. Rises this year are forecast to reach a maximum of 5.9 per cent, less than last year's 5.94 per cent. No action is expected.

"Union leaders have made their 8 to 9 per cent demands without expecting to win them. They understand that corporate profits should come first. They will not take strict action," said Mr Owan.

Industrial action is anathema to most Japanese unions and the most radical restrict their strikes to a one-hour lunchbreak. It is hardly surprising, therefore, that three-quarters of Japan's workforce eschew union membership altogether.



Dumping down: firefighters watching steam rise from the wreckage of a United Airlines Boeing 737-200, which had crashed in flames just two miles short of Colorado Springs airport, killing the 29 passengers and five crew on board. The plane had narrowly

missed houses and apartment buildings, and a witness said that the pilot managed to bring the plane down in a narrow park. But a girl aged 12, who was in the doorway of her home, suffered a head injury when she was blown backwards by the force of the

accident on Sunday. Local officials later reported that she was in a satisfactory condition. The plane was on route from Denver, the state capital of Colorado. The weather was clear but there were high, gusty winds in the area at the time of the crash.

Moscow cries foul at Baltic vote

FROM ANATOL LIEVEN IN RIGA, NICK WORRALL IN TALLINN AND BRUCE CLARK IN MOSCOW

THE Soviet government had no immediate comment yesterday on the referendum results in Latvia and Estonia, which amount to a propaganda defeat for conservatives in Moscow. But the official media carried a mixture of straight reporting with allegations of malpractice.

In Riga, Anatolijs Gorbunovs, the Latvian president, said that he hoped the majority for independence in Sunday's poll would make President Gorbachev abandon his claim that most Latvians are opposed to independence.

Tass, however, said rules governing the Latvian poll sparked widespread objections, such as an "avalanche of protests" from the crews of ships at sea who were unable to vote. To the resentment of ethnic Latvians, the republic's merchant fleet is crewed mainly by Russians. The agency also said Soviet servicemen in Latvia were angry at their exclusion, which meant, for example, that 11 deputies who represent the armed forces in Latvia's parliament were unable to vote.

Provida carried a front-page report on moves by Lithuania's small pro-Soviet minority to set up polling stations in factories and army bases for the March 17 poll on the Soviet Union's future, an exercise with which republican authorities are refusing to co-operate. Inside, it carried a Tass report from Riga alleging that some ballot papers were marked in advance.

The agency has also reported sympathetically on the holding of "mini-plebiscites" by local authorities in Russian-speaking parts of Estonia. In Estonia there was no cheering, no obvious jubilation. Mr Gorbachev's view that neither this nor Sunday's poll in Latvia, or last month's in Lithuania have any validity means that the Baltic struggle for freedom has a good distance to run.

In Estonia, with a Russian-speaking minority of almost two-fifths, 77.8 per cent of those voting gave their support to independence in an 82 per cent turnout. There is evidence from some Estonian areas that up to half the Russian-speaking voters supported the nationalist government. The two staunchest Russian regions are Narva - where 25.5 per cent voted in favour - and Sillamae where 40.5 came out in support. But in the predominantly ethnic Estonian regions, an average 90 per cent supported the call for independence.

The euphoria among Latvian leaders, meanwhile, diminished yesterday as late provisional results from Russian-majority Riga reduced the majority in favour of independence from 77.1 per cent to 73.6 per cent. This means that the independence movement has fallen just short of the goal of gaining two-thirds of eligible voters for independence. The proportion of those voting against rose yesterday to 24.7 per cent, and it is now clear that most non-Latvians in the republic voted against independence.

Soviet nod to German unity

FROM MARY DEJEVSKY IN MOSCOW

THE Soviet parliament yesterday passed the six-point treaty on German reunification, removing the last obstacle to full sovereignty for the united Germany. A spokesman for the parliament would not give details of the vote, held after a day of debate conducted mostly in secret, but ratification within the day is a victory for President Gorbachev who had been accused of "losing Eastern Europe" and "jeopardising the country's defences".

with Germany, including the one providing for ultimate withdrawal of all Soviet troops from Germany by the end of 1994, was one of the most sensitive items on the parliamentary agenda. Debate on the agreements, signed in September, had been delayed for several months, partly because of opposition from the military and hardliners. Advocates of the agreements contend that Moscow had no choice but to accept unification unless it was ready to use armed force. Given that reality, the Soviet Union had

to get the best possible security and financial guarantees. Yuri Kvitsinsky, a deputy foreign minister and former ambassador to Bonn, who introduced the agreements yesterday, emphasised the fixing of Germany's borders, its renunciation of territorial claims, the compromise withdrawal period of four years and the sum of DM15 billion (£5 billion) in German aid - only DM3 billion requiring repayment, without interest - as the best possible deal available. When the vote was taken, most deputies agreed.

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TV fanfare for the balalaika boy who made good

BY MARY DEJEVSKY IN MOSCOW

THERE was a time when Soviet leaders celebrated "round-figure" birthdays by printing their touched-up portrait on all the front pages and awarding themselves another Order of Lenin. President Gorbachev, who has just turned 60, ended all that, but not quite. On Saturday, his birthday, most of the papers published a picture of Mr Gorbachev visiting Belorussia. The national parliament, the Communist party, and foreign statesmen wished him health and success. By Sunday, the event seemed to have passed into history, when the television suddenly changed its evening schedule to present a portrait of the president through the eyes of his formidable peasant mother.

Our First President, a 45-minute documentary showing pictures

from the family album, film of the Gorbachevs' native Stavropol countryside, and reminiscences by family and friends, depicted the ideal childhood of an ideal leader, unclouded by rivals, disagreements or other worldly cares. Stavropol boys of today were seen plunging into the local lake for a swim, lounging on grassy banks strumming guitars and balalaikas and helping with the harvest as the film inferred, had the young Gorbachev half a century earlier. The president's mother, Maria Pantalevna Gorbacheva, sitting outside her blue-painted wooden house, waxed glibly about Misha, her gifted, balalaika-playing son.

A solid and confident peasant woman, Maria Pantalevna alluded occasionally to Misha's brother, Aleksandr, killed in the

war, and to his late father, Sergei. The president's wife, Raisa, appeared briefly, but Misha and his mother were the stars, with the people of the Stavropol region in supporting roles. Misha's Young Communist leader, Nina Goncharova, praised his talent as an activist and an organiser always ready with ideas. A university contemporary, Viktor Astafyev, now a writer, complimented the young Mikhail Sergeyevich on his ability to listen.

The message of the film, which lacked polish and belonged to the eulogistic genre rarely called for since the advent of glasnost, seemed to be that Mikhail Gorbachev was not only a life-long leader destined for greatness, but also an ordinary Russian, with his roots in the countryside and among the people. Such a message

would be especially pertinent today as complaints mount that the president has become divorced from the masses and does not appreciate the exigencies of their daily lives.

The film may also have helped to satisfy the endless curiosity of Russians about the hidden lives of their leaders. One of Mr Gorbachev's earlier contributions was the approval he gave to a posthumous tribute to Yuri Andropov, called *Yuri Andropov: Pages from a Life*, which showed the late leader in his Moscow flat and at his dacha, writing poetry, drinking tea and socialising with his family. Now, senior officials are often introduced to the media on their appointment as being married and information is given about their children.

Unconfirmed reports say that

Our First President was ready for showing a year ago, when Mr Gorbachev was sworn in as president, but was held back when comments began to circulate about a new "personality cult". While some people were impressed with the documentary and with Maria Pantalevna, so obviously just another peasant mother, proud and protective of her Misha, others questioned its intent, noting wearily that it was only Part One. Others drew attention to the imminent release of a three-hour film on the life of the Russian leader, Boris Yeltsin, produced in his home city of Sverdlovsk. To judge by the hour-long version released a year ago, and Mr Yeltsin's published autobiography, the young Yeltsin spent his childhood helping in the home and winning fights in the yard.

Albanian refugees overwhelm small port

Otranto - This small Italian port, on the southern Adriatic, has declared a state of emergency, saying it has been overwhelmed by the arrival of hundreds of Albanian refugees. Officials have demanded that Rome take more responsibility for almost 900 Albanians who have fled the Balkan state since a wave of anti-communist protests began on February 21.

"The government must take on more of the problems in question, which could get worse from hour to hour," the Otranto city council said in a letter to the government after declaring the state of emergency at an extraordinary meeting.

Most of the Albanians, fleeing by night in small fishing or merchant vessels, have arrived at Otranto. Some have landed at the port of Brindisi, 40 miles to the north. Almost all have been given temporary lodging in nearby hotels and schools, town officials said.

With a population of just 5,000, Otranto has been hard pressed to cope. (Reuters)

Bonn 'cover-up'

Berlin - Investigators overseeing files of the defunct Stasi in East Germany accused Bonn of covering up key facts in its report clearing Lothar de Maizière, the last East German prime minister and deputy leader of the governing Christian Democrats, of spying for the feared secret police. (Reuters)

96 die in crash

Maputo - At least 96 people were killed in a train crash in the northern Mozambican province of Nampula. State radio said that a train had broken down about six miles from the station at Nacala, then rolled back into the station, where it left the rails. (Reuters)

Canton jailings

Hong Kong - Three Hong Kong men were sentenced to up to five years in prison by a court in Canton for helping pro-democracy activists to flee from the country after the Tiananmen Square killings in June 1989. These are the first in the recent series of political trials in China to involve Hong Kong residents.

Zia takeover

Dhaka - Begum Khalida Zia, aged 46, leader of the Bangladesh Nationalist Party, is likely to be sworn in as prime minister at the head of a new government today after her victory in parliamentary elections last Wednesday. Her party won 140 of the 300 seats in parliament.

Lawyer arrested

Nairobi - A Kenyan civil rights lawyer, Githu Inyang'a, has been arrested and civil rights activists expressed concern for his safety. The American government has protested at his arrest. Mr Inyang'a is on the board of Article 19, an international anti-censorship group.

Chile violations

Santiago - A Chilean government report acknowledged that the former military junta violated human rights. Just before its publication, a retired army major who had been accused of torture, and his wife, were shot dead, allegedly by left-wingers seeking revenge. (Reuters)

Fathers caned

Peking - Ten husbands with pregnant wives in the Chinese province of Sichuan defied regulations that limit urban couples to one child and refused to have abortions, so were caned a stroke for each day since conception, to make them change their minds, a newspaper said. (Reuters)

Devaluing the university

Conor Cruise O'Brien

The discrediting of Western civilisation is an important part of the curriculum of many American universities today. It is conducted under the auspices of a loose coalition, of which the main components are "black studies", "women's studies", "people and deconstructionists". People who regard Western civilisation as basically racist do not agree, in theory, with those who regard it as basically sexist, but the two sets can work together happily enough on discrediting the civilisation in question, for their different reasons.

The deconstructionists, who are mostly white males, join in for their own esoteric reasons in academic politicking, the triple alliance making a formidable block. The women and the blacks have their own specific programmes. The deconstructionists have taken over the departments of English and comparative literature on many campuses and have significant influence in sociology, anthropology and law.

The most recent study of deconstruction is on the whole a hostile one: *Signs of the Times: Deconstruction and the Fall of Paul de Man* by David Lehman (Penguin Press, 1991). Lehman offers a number of definitions of deconstruction, of which the most descriptive is: "The taking apart of hierarchical systems of thought".

"Hierarchical systems" include the assumption that Shakespeare is in some way qualitatively superior to comic books.

This assumption — expressed in a milder form — has been explicitly rejected by an influential figure in the deconstructionist movement, Houston A. Baker of the University of Pennsylvania. Professor Baker declared a few years back that choosing between Virginia Woolf and Pearl Buck is "no different from choosing between a hog and a pizza". He added: "I am one whose career is dedicated to the day when we have a disappearance of those standards."

That a professor of English in contemporary American academia can make a serious out of a career so dedicated is demonstrated by the fact that this Professor Baker — best known for the remark quoted above — will be president of the Modern Language Association of America in 1992. The systematic discrediting of literature has become the most conspicuous activity of the academic departments for its study in America.

There are campuses — the University of Chicago is one — which have shown themselves resistant to deconstruction, and there are several individual scholars who have attacked it strongly. More numerous are the scholars who sit on the fence. The deconstructionists — or the "hermeneutical mafia" as they are sometimes called — constitute an efficient and ruthless lobby. A young teacher of English with a career to make will find it prudent to master the jargon and techniques of deconstruction (which is not very difficult) even if he or she privately thinks the whole thing is nonsense.

Yale University has been the capital of deconstruction, since the Belgian writer Paul de Man joined its faculty in 1971. The three leaders of the movement — known as "the Board deconstructionists" — De Man himself, Jacques Derrida and J. Hillis Miller, were all connected with Yale. At the time of his death in 1983, de Man was celebrated by the other leaders of the movement as a sage and saint. This made it embarrassing when it was discovered, four years later, that de Man had written regular pro-Nazi articles for a Brussels newspaper from 1940 to 1942, a fact which he had subsequently concealed. This was particularly distressing because deconstructionists have been in the habit of tying the fascist label on to the many key concepts which they wished to discredit, as in the phrase "meaning is fascist". So the discovery of de Man's past did some damage to the deconstructionist enterprise.

Several scholars assure me that deconstruction is now in decline. Intellectually, this may well be so. But in terms of the politics of academia, deconstruction is still a force to be reckoned with, as the election of Professor Baker demonstrates.

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As the Birmingham Six case is heard in the court of appeal today, Lord Scarman urges the involvement of judges in investigations to prevent innocent people from being convicted

Justice in the balance



Lord Scarman: 'Are our trials contested to find a loser and a winner, rather than a search for the truth?'

In October 1989, upon a reference by the Home Secretary, the Court of Appeal reviewed and quashed the convictions of the Guildford Four. The case troubled and angered public opinion. Since then several convictions have been quashed on the grounds of miscarriages of justice within our system for the investigation and trial of criminal cases. There has also been the shock of the suspensions within the West Midlands Police Force.

Currently, Sir John May is manfully striving to keep going his enquiry into the circumstances leading to the convictions in the Guildford case and the closely related Maguire case. But he has to wait while policemen are prosecuted for conspiring to pervert the course of justice in the Guildford case. He has, however, published a very disturbing interim report on the Maguire case, in which he finds that the scientific evidence called by the Crown was fatally flawed: this is a case in which there was no other evidence of guilt.

At this moment the Birmingham Six are once more in court for a second review of their case by the Court of Appeal. The case is *sub judice*, but we have already heard that the Director of Public Prosecutions is no longer prepared to argue that either the confessions or the scientific evidence constitute a safe and satisfactory basis for the convictions.

The three cases arose out of the IRA bombing campaign in London and elsewhere in England in 1974-5. The police were then under terrific pressure to make arrests and to secure evidence. We know now, after more than 15 years during which innocent people have been imprisoned for offences of which they are innocent, that the convictions in the Guildford case were wrong, and that vital evidence given in the Maguire and Birmingham Six cases is not safe and satisfactory.

The questions arising cannot be confined to such matters as misconduct of comparatively junior policemen. We must now question the justice and efficiency of our system for the administration of the criminal law. Not only the police investigation but the trial and appellate process must be reviewed. I should like to suggest five reforms: four that are specific, and one that strikes at the root of our adversarial system of justice.

Can we allow convictions on the strength of confession evidence alone? The Police and Criminal Evidence Act 1984 provides the trial judge with a discretionary power to refuse to admit confession evidence in certain circumstances. But this is not enough. The law itself tempts the police to use the confession as a shortcut to proof of guilt, for an accused may be convicted of very serious crime, including murder, on the strength of confession alone. This is what happened in the Guildford case, in which we now know that the supposed confessions were nothing of the kind. No one should be convicted on the strength of confession evidence unless the confession was made in the presence of a solicitor or other independent person, or in the face of the court, or unless the confession is corroborated by other credible evidence. This could be ensured quite simply by amending the Police and Criminal Evidence Act.

Do we need a revolution in our arrangements for the preparation

and presentation of scientific evidence in criminal trials? The Maguire and Birmingham Six cases have exposed the lamentable arrangements which presently exist. It is wrong in principle that the prosecution should have the power to guide or even, in most cases, monopolise the research, assembly and preparation of much evidence. What is needed is an independent forensic science service working for the courts, that is to say a *judicial service*.

This service should be available to all parties, to the defence as well as to the Crown. When working on a case, the service should do so under the direction of the judge, who should ensure that its working papers, reports, and any other relevant materials are disclosed to all concerned (judge, prosecution and defence). The service would undertake research and any laboratory work reasonably requested, and would communicate its results to judge and parties. An independent *judicial service* would underline the principle that a criminal trial is the final phase of a judicial search for the truth, not merely a contest between Crown and accused decided by a jury and referred by a judge.

The Crown Prosecution Service has a valuable role to play in the

preparation of scientific evidence. Subject to any directions by the court, it could act for the court in commissioning scientific research. The CPS has already made a fine start in its conduct of the Crown's case in the review of the three cases. It has shown itself in each case to be the servant of justice, and not merely the Crown's champion in a contest. And it has improved practice in another critical area: the disclosure of documents and witnesses to the defence. It is, I believe, willing, able and ready to assume the responsibility of directing the research and the preparation for trial of scientific evidence, and of ensuring not only that the defence is fully informed, but that it is given the scientific advice it needs. The CPS can be, and looks likely to become, a potent instrument for changing the style of the English criminal trial.

Is the Court of Appeal the appropriate body to review cases in which miscarriage of justice is alleged? The existing law provides that in a case in which miscarriage of justice is alleged after trial and appeal, the Home Secretary may, if he thinks fit, refer the case to the Court of Appeal for review. But a miscarriage of justice is a wrong done by the state to an individual,

and of grave public importance. Subject to any directions by the court, it could act for the court in commissioning scientific research.

Both the House of Commons Home Affairs Select Committee and the all-party lawyers' group, Justice, have considered this question. The Select Committee in its sixth report (1986) considered the Court of Appeal an inappropriate body to conduct what are essentially not appeals but enquiries. The committee recommended an independent advisory body upon whose advice the Home Secretary could act, and, if he thought fit, arrange free pardons.

Justice published its valuable report in 1986. The report agreed with the Commons Committee that review by the Court of Appeal was inappropriate, but took the view, which is constitutionally correct, that only a court can quash a conviction. It recommended the establishment of a court of review with the judicial power to receive evidence and call witnesses, and specifically with power to quash a conviction as unsafe and unsatisfactory.

I agree with the select committee and the Justice report that the Court of Appeal is not the appropriate review body. Under the existing law, the convict who is

alleging miscarriage of justice must be treated as an appellant, but he is likely to have neither the resources nor the opportunity (in most cases he is still in prison), nor the authority to put together the case, or to commission an investigation to establish the miscarriage of justice of which he complains. And in any event, what is at stake is not an appeal but an enquiry into a grave wrong done by the state to an individual.

Should it remain the Home Secretary's prerogative to decide whether there should be a review? A filter to reject frivolous cases is needed, but I incline to agree with the select committee that the decision remain with him, if only because he is able to call upon his own department or upon a police force not concerned with the case to conduct a confidential investigation of the case. Perhaps one day, however, we shall persuade Parliament to provide a court of review with the sort of job that the European Commission of Human Rights does for the European Court of Human Rights.

Turning to the judicial question, I believe the English jury trial is not as adversarial as it appears. Within the scarlet robes of the judge, mind and heart are dedicated to doing justice between the parties. Behind the fighting speeches and severe cross-examinations of trial lies the tradition that a prosecutor's duty is to lay the facts as given in evidence before the jury, and not to press over-zealously for a conviction: guilt or innocence is not for him but the jury.

Nevertheless, a trial is a contest, in which the skill of the advocate, the impact of a witness or some element of surprise can be the difference between victory and defeat. The weakness of the English system arises from over-emphasis on the trial itself as the critical period for determining guilt or innocence, and from consequent lack of judicial involvement in the pre-trial preparation, which may be still more critical.

An eminent Scots judge once commented to me that "You in England do not pay enough judicial attention to the merits of a case before trial". He may have had in mind the Scottish "judicial examination", but certainly he was correct about the absence of any continuous judicial control of pre-trial preparation. Save for committal proceedings in the magistrates' court, which are frequently bypassed or a mere formality, there is in most cases none. If criminal trial by jury could be but a final phase in a process of judicial investigation, we might be able to establish a judicial narrative of enquiry and a readiness among judges to dismiss before trial cases in which the evidence can be seen to be suspect, incomplete or unsatisfactory.

More study is needed on this aspect of judicial control of the criminal investigation before trial. If we could establish pre-trial control as a feature of pre-trial investigation as well as of that trial, we would be able to abolish the accused's right to silence. So long as there is no pre-trial judicial control, and so long as trial remains the exclusive battle to determine a



KUWAIT'S POWER VACUUM

The Kuwaiti flag has been flying over Kuwait City since last Wednesday. Ordinary Kuwaitis are so desperate to get home, ignoring advice to wait until mines are cleared and services restored, that the Saudis have closed the frontier to all without official passes. This enthusiasm contrasts with the excessive caution displayed by the Emir of Kuwait, who was quick to declare martial law but has yet to set a firm date for his return. Into the power vacuum thus created have stepped gangs claiming to belong to the Kuwaiti resistance, well-armed with weapons left behind by Iraqi troops.

Martial law has officially been in force in Kuwait since last week, but Sheikh Saad al-Abdullah al-Sabah, who is not only the crown prince and prime minister but the martial law administrator appointed by the Emir, returned from Saudi Arabia only yesterday. The capital is rapidly degenerating into a state of lawlessness. An ugly hunt is on for collaborators, some of whom have been summarily executed and others abducted to unknown destinations and fates.

In view of the extreme savagery of the Iraqi occupation, culminating in mass executions, the abduction of Kuwaiti hostages and the torching of large swathes of the city, there is nothing surprising about such rough justice. All the more reason for Kuwait's government, which foresaw the likelihood of revenge killings and appealed last week for respect for law, to have moved swiftly to forestall mob rule.

The Emir's continued absence from this turbulent scene becomes harder by the day to justify. Various reasons have been advanced in explanation — the uninhabitable state of the royal palaces, which were sacked and extensively mined; the Emir's personal security, a legitimate concern in the hours after liberation; the inability of the government to function in Kuwait until essential communications were restored. None of these, above all the Emir's personal comfort, should now rank as highly as his duty to lead his shaken people and devast-

tated country back to normality. It is not as though his government had not had months to plan for this moment — for which soldiers of more than 20 nations risked their lives.

After this unifying pause Sheikh Saad must restore the legal government's authority, beginning by disarming these bands and imposing proper discipline on Kuwait's armed forces, some units of which have behaved with as little restraint as the gangs they should be policing. Only the prompt restoration of civil peace will justify the Emir's declaration of martial law.

Without civil peace, the government cannot redeem its all-important pledge that those accused of collaboration will be given a fair trial. Before the courts start functioning again, they could be dead. Kuwait's large Palestinian population is particularly at risk. Of the 400,000 resident when Iraq invaded last August, more than a third remained. Although many sided with the Kuwaitis, even joining the resistance, others — including pro-Iraqi Palestinians who arrived in the wake of the invasion — collaborated. All have been tarred in the eyes of Kuwaitis by the cynical support for Iraq's aggression offered by Yasser Arafat, head of the PLO.

The failure to contain mob rule reflects ill on the allied troops which liberated the city, but the reluctance of their commanders to intervene is understandable. For both linguistic and political reasons, Western forces should stay clear. But if Kuwait's own army is not up to the task of policing, Sheikh Saad should seek the help of Saudi, Egyptian and other Arab members of the alliance.

The Emir must rapidly dispel suspicions that his real motive in declaring martial law was to silence opposition and delay the promised elections to Kuwait's national assembly under the 1962 Constitution. Other ministers have insisted that democracy will be restored within months but the explicit assurance of the Emir, who suspended the assembly in 1986, is indispensable. The place to make that statement is at the head of his government, in Kuwait City, now.

THE IRA'S PHANTOM ARMY

The right response to the IRA's recent resumption of a bombing campaign in Britain is "business as usual" with a measure of added caution. The response is right because it is the opposite of the reaction intended by the IRA. Those who complain that they are being asked to take extra risk with their lives and limbs should realise that this is the price of refusing to be bullied by terrorists. Since the risk is statistically infinitesimal, the response requires no great increase in courage.

London can take the occasional explosion in its stride, treating such symptoms of inherent urban anarchy as no more than an accident of life. What has lately proved more debilitating has been the spate of false bomb warnings, some possibly from the IRA itself but others from a fifth column of mischief-makers who unwittingly serve the IRA's purposes. Each real incident is usually accompanied by a wave of hoax warnings from people who have nothing to do with the IRA. On the morning of February 18, between the explosion at Paddington at 4.20 and the explosion at Victoria at 7.40, there were 19 threatening calls, 18 of them apparently hoaxes. On the previous Friday, with no formal IRA activity reported, 29 hoax calls of attacks on the London railway network were logged. The number was not untypical.

The plague of hoax calls has continued since. On one day the M25 was closed after a bomb scare, on another the new M40. London's large stores and offices seem to offer a tempting target and railway stations are still a favourite.

Most of the news media are not reporting hundreds of such alarms because a crime which is so manifestly imitative deserves no encouragement, even where the inconven-

ience of closed stations and chaotic journeys might normally merit coverage. Thanks to the ease with which hoax calls can be traced through the new digital telephone exchanges, callers now run a much greater risk of being caught than hitherto. But the maximum penalty available to magistrates is a mere three months' imprisonment. Justin Phillips, the stipendiary magistrate at Crampton Green court, could do no more than tell one boxer that the maximum sentence would henceforth be automatic.

This maximum is devoid of deterrent impact. It appears to express disapproval of a jape that backfires, not of a serious crime putting the public to huge and costly inconvenience and fear. Terrorism is a much misused word, but bomb-bombers are literally terrorists. By their activities they magnify the effect of a bombing campaign tenfold or even a hundredfold. They are part and parcel of that campaign. There should be an exemplary sentence on the statute book, and exemplary use made of it.

Meanwhile the scale of proliferation of hoax calls helps to answer one agonising question which faces anybody responsible for the safety of others when such a call arrives. The odds against it being genuine are, if not quantifiable, large enough to justify a sceptical view of the risk. Searches and a calm public warning are called for, but the clearance of everybody from the location is not necessarily so. There should be no basis for legal claims that failure to clear a public place or building, as a result of one probably bogus warning, would amount to contributory negligence if death or injury later occurs. The British public must take a robust view of terrorism, since that is the only way of countering it. These are risks everybody must share. A paranoid society is a vulnerable society.

SCHOLARSHIPS IN GLASS CASES

How should scholarship be valued? Like beauty or clean air, its worth cannot be calculated in pounds or pence. But it has an incidental use: its findings can be communicated to others thirsty for knowledge. This symbiotic relationship between research and teaching exists not just in universities and museums but in other professions too. Doctors, journalists, schoolteachers are all given to part-time scholarship, validated through publication or in their day-to-day professional work.

None the less, yesterday's move by the government to identify the "practical competence of knowledge" amongst museum staff will send another wave of horror through curators and keepers who resent suggestions that their jobs are about more than pure scholarship.

A scholarly tradition is rightly a source of national pride. Britain has some of the best museums and universities in the world. The benefit of the scholarship contained therein may be intangible but the nation would be mean of spirit if it denied its existence. The difficulty is the eternal one of public finance: we know it is worth paying for, but worth how much?

Universities have to pay the community back by teaching students. Museums do so by protecting and displaying public collections and by educating their visitors. Over the past decade, both groups of institutions have become, reluctantly or not, more sensitive to this accountability. Universities now try to teach more students at a lower cost per head. Many museums have made their displays more attractive in order to entice more people to visit them, both to

justify their subsidies and to earn money from admissions and sales.

The purists among curators argue that this change has lowered standards of scholarship. When the director of the Victoria and Albert Museum, Elizabeth Esteve-Coll, tried to split the roles of researching the museum's collection and conserving and displaying it, she was doused in academic opprobrium. Had she suggested burning the contents of her costume department in a bonfire outside Harrods, she could not have been accused of greater philistinism. Yet when other curators are asked to help make their collections more attractive to visitors, there is equal indignation.

There is no answer to such protests beyond that which museums themselves can supply. Directors, trustees and staff must resolve the balance of scholarship and enterprise, in museums as in universities or other learned professions. But museums will certainly jeopardise their public support if they turn in on themselves and ignore public accountability. They house the nation's best of everything: the biggest dinosaurs, the greatest Rembrandts, the finest collections of fossils. They are the physical embodiment of all manner of superlatives.

This is what makes museum-going the third most popular leisure activity in Britain, after reading and television. Bruno Bettelheim, the child psychologist, likened museum-visiting to "a semi-religious experience". Museums were there to inspire, "to give the child a feeling of awe for the wonders of the world". Who better to convey that awe than those who have devoted their lives to studying those wonders?

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

'Heresy' or 'theological error': Dr Carey's retraction

From the General Secretary of the British Evangelical Council
Sir, Despite Dr George Carey's retraction of his use of the word "heresy" (report, February 28) about opposition to the ordination of women to the Anglican priesthood, a number of issues remain open to comment.

Perhaps it was too much to expect a 20th-century churchman to use the word "heresy" and mean it. The notion of an objective standard of doctrine from which any deviation can be considered "heresy" is unfashionable in our relativist age. It was not so in the days of the New Testament when the Apostle Paul insisted that if even he himself were to preach another gospel than he would be "accursed" (Galatians 1:8).

Dr Carey had been under fire for saying that "the idea that only a male can represent Christ at the altar is a most serious heresy". He now speaks of it as "fundamental error... to insist upon maleness as an essential attribute of priesthood". What his clarification still fails to reckon with is the wider issue of priesthood itself. Surely, the more fundamental question is whether anyone, either male or female, can today represent Christ at the altar (report, February 27)?

The "idea" that an altar should be retained at all in the church and that the one sacrifice of Christ must be re-presented by anyone representing him is repudiated by the New Testament epistle to the Hebrews. The Anglican 39 Articles, to which the new Archbishop of Canterbury is presumably committed, describe such ideas as "blasphemous fables and dangerous deceits".

"Heresy" is an emotive term which derives from a word used in the New Testament for "division". It is hard to see how Dr Carey can avoid the debate of divided churches at the time of the Reformation. It is even harder to see how he can properly be described by the term widely used at the time of his appointment, that is "evangelical". Yours faithfully,

ALAN F. GIBSON,
General Secretary,
British Evangelical Council,
113 Victoria Street,
St Albans, Hertfordshire,
February 28.

From Mrs Sylvia Disley

Sir, I found it significant that on this Women's World Day of Prayer, with women giving sermons from pulpits all over the world, that *The Times* should think fit to publish several letters from men at against women's ordination. One of them, Mr Laurie Penzer (March 1), reconciles his opposition to women's ordination with the Lord's teaching.

We do, indeed, only have the Bible to go by, according to which we have to accept that only men attended the Last Supper, and therefore only men received the first sacrament, and only men received the instruction, "Do this, as often as ye shall drink it".

By this token women should not receive the sacrament. Mr Penzer declares that he would never attend a Holy Eucharist celebrated by a woman as it would be at service totally without meaning, "very the same applies when he finds himself kneeling beside a woman who is also receiving the sacrament on equal terms with himself". Yours faithfully,
SYLVIA DISLEY,
Hampton House,
Upper Selsey Road,
Hampton, Middlesex,
March 1.

From Mr John C. Nuttall

Sir, It is with a sense of great outrage that we have been confronted with the enormous suffering and damage caused by the brutal Iraqi attempt to extinguish the existence of Kuwait. Estonia and Latvia voted yesterday in referendums (declared illegal by the Soviet authorities) on their independence, and it seems appropriate to consider what happened in Estonia and its Baltic neighbour states 50 years ago, when their independence was extinguished by the cynical co-operation of Nazi Germany and the Soviet Union and the western democracies were in no position to do anything about it.

From the President of the British Antique Dealers' Association

Sir, You report (Arts, February 26) that the Badminton Cabinet will be exported next month unless an £8.7 million appeal is successful. It is, as the director of the Fitzwilliam Museum unequivocally states, "unthinkable that any self-respecting nation would be prepared to let such a masterpiece go".

It is, of course, regrettable that the Duke of Beaufort's offer to the Victoria & Albert Museum to acquire the cabinet in 1989 "for £4 million payable over three years" was confidential and exclusive and that it was therefore not formally put forward through the Museums and Galleries Commission to the Fitzwilliam and indeed, other museums throughout the United Kingdom.

My council has made an unprecedented request to our members for financial support for the Fitzwilliam's appeal. The response has already yielded £15,000.

Yours faithfully,
RAYMOND O'SHEA, President,
The British Antique Dealers' Association,
20 Rutland Gate, SW7.

From Mr David Ackerman

Sir, I would never have thought it possible that in one sentence an Anglican bishop could say millions of people, the Pope, and many of his fellow bishops with the brush of heresy. And, in this instance, it is more unbelievable because this damning statement came from a man who needs all the help he can get holding the state church together.

Sincerely,
DAVID ACKERMAN,
Long Lankin House,
30 Dunstan Avenue,
Chipping Norton,
Oxfordshire,
March 1.

From the Chairman of Council of the Church Society

Sir, I wish to express serious concern at Dr George Carey's unbalanced theology and language when he argues against the view that "a woman cannot represent Christ at the altar". In the New Testament doctrine of the Communion service no one (male or female) represents Christ at the holy table. Such a notion of representative priesthood is wholly inappropriate. The Church of England, in its historic formularies, makes it clear that the minister at the Lord's Supper is leading the people in a remembrance of Christ's death, not a sacrificial offering.

The biblical arguments against the ordination of women have nothing whatsoever to do with who presides at the Lord's table. The fact is that the presbyterate is a ruling, teaching office ("Let the elders that rule well be counted worthy of double honour, especially those who labour in the word and doctrine", 1 Timothy 5:17; and "A bishop then must be blameless... apt to teach", 1 Timothy 3:2) and God has given to the man, not to the woman, such a position of authority in the church ("But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence", 1 Timothy, 2:12).

It is extraordinary that Dr Carey uses Galatians 3:28 ("there is neither male nor female for ye are all one in Christ Jesus") as an argument in favour of women's ordination. What Paul is saying in that context is that, in the matter of salvation, the difference between the sexes is irrelevant. The verse has nothing to say about the respective roles and functions of men and women in the church.

Yours sincerely,
JOHN CHEESEMAN,
Chairman of Council,
Church Society,
Whitefield House,
186 Kennington Park Road, SE11
February 28.

From Mr A. R. F. Carter

Sir, For evangelical Christians within the Church of England and without, the idea that anyone, male or female, represents Christ at the altar is a most serious heresy.

Yours faithfully,
A. R. F. CARTER,
32 The Poles,
Upchurch,
Sturminster,
Dorset,
February 27.

From the Bishop of Thetford

Sir, Questions over who can "represent Christ at the altar" seem to me more easily resolved by remembering that the Prayer Book refers to the priest also as "minister" (that is, servant), and that the word "altar"

The deportations and cruelties exacted by the Soviet Union at that time bear comparison with recent events in Kuwait. The considerable demographic changes imposed in the Baltic states since 1940 speak for themselves.

The United Kingdom has rightly never recognised the Soviet annexation of the Baltic republics but sadly, throughout the cold war years, it refrained from reminding the world of this to the point where these countries were nearly forgotten. Should not the Foreign Office take a more robust stance in this matter, particularly in the light of today's results of the referendums?

If the Soviet Union is to be

is not used in the Book of Common Prayer, the 39 Articles of Religion, the Canons of the Church of England or the *Alternative Service Book* (1980).

Our formularies speak instead of the holy table, the communion table, or the table of the Lord. This careful use of language says much about the nature both of ministry and of the sacrament of Holy Communion in a reformed church. Yours etc.,

TIMOTHY THETFORD,
Rectory Meadow,
Brampton,
Norwich,
Norfolk,
February 27.

From Mr Rex Collings

Sir, Would it not be appropriate for the Dean and Chapter of Canterbury to seek from the archbishop-designate amplification of his theological beliefs, before electing him? Cramer after all recanted twice.

Dr Carey has perhaps forgotten that to change from being a "serious heretic" to being merely in "theological error" does affect one's hope of eternal salvation.

Yours faithfully,
REX COLLINGS,
31 Plains Lane, NW3,
March 1.

From Prebendary Michael Moreton

Sir, Has Dr Carey's retraction changed anything? What is heresy but theological error? And is he convincing the whole Catholic Church in East and West of theological error in admitting only men to Holy Orders? The last incumbent in the see of St Augustine seems to have argued (for instance, in a letter to Cardinal Willebrands of December 18, 1985) that the admission of women to Holy Order was but a development of Catholic tradition. Dr Carey's position appears to be fundamentally different from this, and the implications of his attack on tradition are extremely disturbing.

Yours faithfully,
MICHAEL MORETON,
St Mary Steps Rectory,
10 Victoria Park Road, Exeter, Devon,
February 28.

From Mr Peter Wood

Sir, Clifford Longley (March 2) argues with apparent reasonableness that "heresy" in Dr George Carey's ordination use of the term in relation to the issue of women's ordination consists in "the stressing of one side of a two-sided truth". However, he claims Dr Carey's clumsy use of the term will have made many Anglicans who are opposed to women's ordination feel "un-churched".

This may be true, but it is no less true that because the ordination issue is one of fine balance and theological judgement, rather than demonstrable truth or error, those who moderately and reasonably support women's ordination will likewise feel great dismay at Dr Carey's high-handed "common man" approach.

Yours faithfully,
PETER WOOD,
Newbold Farm,
Dunstable, Bedfordshire,
Cirencester, Gloucestershire,
March 2.

From Mr P. C. Thompson

Sir, So it has come to this that the Archbishop of Canterbury-elect does not know the meaning of the word "heresy".

Yours faithfully,
P. C. THOMPSON,
16 Edgar Street, Worcester
February 27.

forgiveness for the crimes inflicted by Stalin on these tragic countries it should at the very least belatedly restore their full independence. Some diplomatic activity in this direction by the UK government in co-operation with our partners in Western Europe would be welcome.

I noticed in your columns (report, February 12) that at least Iceland has had the courage to recognise the government of President Landsbergis of Lithuania.

Yours faithfully,
JOHN C. NUTTALL,
29 Oldenham Road,
Hale, Altrincham,
Cheshire,
March 4.

important decorative work of art threatened with export since the NACF was founded in 1903.

Yours faithfully,
BRINSLEY FORD,
14 Wyndham Place,
Bryanston Square, W1,
February 27.

From Mr William G. M. Agnew

Sir, Simon Jervis, director of the Fitzwilliam, is to be congratulated for his attempt to stop the export of the Badminton Cabinet. Would his task not be considerably easier if we operated a national lottery like the Germans?

There, each Land shares in the lottery proceeds and has the power to allocate funds to any deserving cause indeed the Badisches Landesmuseum in Karlsruhe, assisted by the Toto-Lotto Fund, purchased a pre-dura plaque from the same Florentine workshop as the Badminton Cabinet.

Yours sincerely,
WILLIAM AGNEW,
Agnew's,
43 Old Bond Street, W1,
February 27.

A bleak future for blind tuners

From the Principal of the Royal National College for the Blind

Sir, Blind piano tuners can be, and often are, the finest in the world. It is distressing therefore that despite the additional £120 million of employment-training money which was announced on Tuesday (report, February 27), the Department of Employment's plans for ET are likely to see an end of training in piano technology for mature students (who make up half the number currently on our college course of 30).

By devolving all employment-training money to local training and enterprise councils the department has ensured that cost rather than effectiveness must become the criterion.

The evidence I have collected from existing TECs suggests that no TEC is going to pay out £12,000 per annum for three years for one individual, not even for a long-term unemployed severely disabled person. This inevitable charge is prohibitive compared with the TEC's normal per capita cost.

This successful programme and many others leading to open employment could be saved if the department were to continue to provide central funding for the specialist training of severely sensory-disabled people. Redistributing the contents of this particular pocket would place a disproportionate — and unpredictable — burden on individual TECs.

Yours sincerely,
LANE MARSHALL, Principal,
Royal National College for the Blind,
College Road, Hereford,
February 28.

Lesbian parents

From Ms Barbara Honey

Sir, Nicholas Res's assertion (article, February 25), that "a well-adjusted, properly motivated lesbian couple could make an excellent home for children", contains a fundamental flaw, which is that it is based on his experience of lesbian parents from the age of nine, by which time most of the important emotional/personality development of a person has already taken place.

Much research, and my own experience as a counsellor with Res and with a school's psychological service, indicates to me that many important facets of psychological development occur before the ages of six or seven. This learning includes the complex interaction between mother, father and child which results in awareness of sexuality and gender and a model, however poor, of a heterosexual relationship.

Clearly if both parents are of the same sex, and the child is aged between 0 and seven, he/she will gain a different kind of awareness, which may result in a difficulty of forming heterosexual relationships later in life.

This is particularly important for children who are to be adopted or fostered, who may have suffered rejection, neglect, abuse or other forms of inadequate parenting, and who may be very much in need of a "normal" family environment in which they can have more chance of healthy emotional development.

Yes, of course a "lesbian couple" could make an excellent home for children", but, please, not until they know who and what they are.

Yours faithfully,
BARBARA HONEY,
Woodbank West, Burnley Road,
Luddendenfoot, Halifax,
West Yorkshire,
February 26.

Child support needs

From Mr Frank Field, MP for Birkenhead (Labour)

Sir, It is crucial to see the Child Support Bill (letter, February 25) as only the first stage in reforming maintenance payments.

The proposal to establish a Child Support Agency, which will have the job of collecting maintenance, should be radically extended. In return for agreeing to the government's proposal, mothers should be guaranteed that these maintenance payments be regularly paid to them irrespective of whether the agency is successful in gaining the money from the absent fathers.

In this way mothers would be guaranteed a regular income and for many this, together with child benefit, would enable them to consider working once the children were at school.

Yours faithfully,
FRANK FIELD,
House of Commons,
February 25.

The eyes have it

From Mr John E. Brown

Sir, Charles Bremner in New York reports (February 26) that when police turned out in strength prepared for a "big march outside the UN" by peace protesters, only "four bespectacled activists turned up".

Can it be that spectacles, which I have worn for 60 years, have some social or political or moral significance which has so far escaped me?

Sincerely,
JOHN EDWARD BROWN,
12 Sewell House, Belmont Road,
Wincoboe, Avon.

High technology pays dividends

Information systems are the largest single area of business for consultants, but the industry's clients, struggling to cope with recession, are counting pennies. Matthew May reports

Of every £3 spent on management consultancy, £1 is spent on information technology. As the largest single area of business for consultants, it has helped some consultancies achieve a viable turnover and profits as their clients look for outside help to keep up with the continual developments in a field that is both technically complex and fast-changing.

Information technology (IT) offers a plethora of equipment, much of it incompatible. Management consultants, often with specialist IT staff, argue that, outside the largest companies, their expertise is likely to be way ahead of that available in-house. In the long run, they

say, their fees will be cheaper than relying on the partisan views of sales people. The cost of choosing the wrong information technology can be high. Large-scale projects that go wrong can have a serious effect on a business and occasionally result in a new piece of computer jargon, computer aided bankruptcy (CAB).

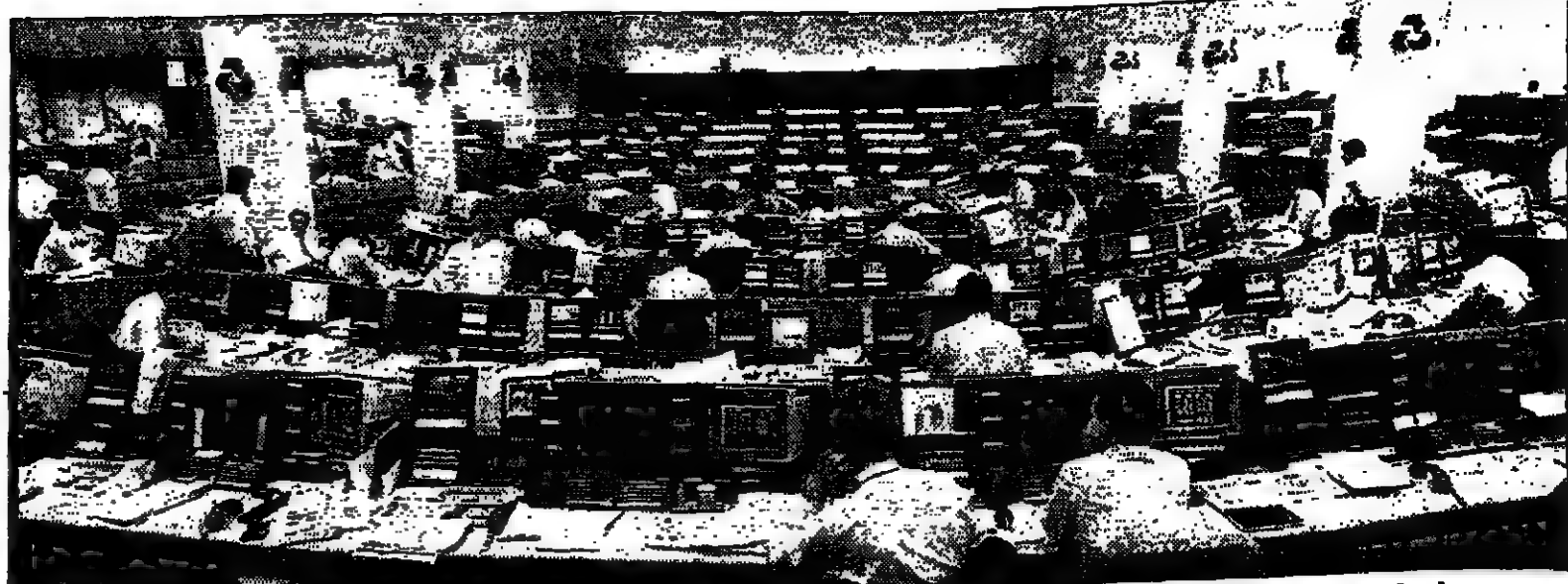
Hedley Basford, of Basford Hewett Associates, says: "Data processing can, unhappily, still be a field in which the expert is the person who has read more than one chapter of the manual. Computer systems are selected infrequently by individual companies and it does not follow that the people running the business have to be experts in

the specification and selection of computer systems in order to be able to use them." Giving advice on selecting computer systems is only a part of management consultancy. Less tangible concepts, such as the strategic importance of IT or how, properly handled, IT can give a business a competitive edge, are often an essential part of the package.

It is, however, an area that should be approached with caution, says John Griffith, the consultancy director of the National Computing Centre, wary that a few successful examples can give the wrong impression. "People have been led to the false conclusion that information technology itself creates

competitive advantage," he told a conference last week. "The truth of the matter for most organisations is that IT is only a contributor to business success." As companies continue to cut back on their information technology spending during the recession, consultants are finding clients more interested than ever in ascertaining whether their existing investments in information technology are providing value for money.

"There are a lot of IT departments on flat budgets at the moment with the purchase of new hardware being put off and system rewrites being deferred," says Jon Newman, a managing consultant at BIS Mackintosh. "We come across some companies that haven't increased their IT budget for the past two or three years, yet expect continual improvements." Recently, the firm launched a European scheme for members to compare information. At least a fifth of Britain's annual £8 billion expenditure on IT is wasted, and 30 to 40 per cent of



Dream machines: organisations such as NatWest have invested heavily in technology. Many are wary of extra expense to buy more hardware

Working for EC harmony

A HIGHLIGHT of the year for the Management Consultancies Association will be the 1991 Fesco conference, held in London on behalf of the Fédération Européenne des Associations de Conseils en Organisations.

The two-day conference, to be held at the Queen Elizabeth II Centre from May 16, takes as its theme the challenges facing management up to the year 2000. The speakers, all of whom have a strong European background, include Sir Alastair Morton, the chief executive of Euro-tunnel, and Alain Bertrand, the project's managing director; Sir Colin Marshall, the deputy chairman and chief executive of British Airways; Gennady Gerasimov, who will represent the government of the Soviet Union; Sir Leon Brittan, the vice president of the European Commission; and Robert Fitzpatrick, the president of Euro Disneyland.

An important topic for discussion will be the harmonisation of standards throughout the European Community and the need for guidelines for management consultancy.

The Management Consultancies Association is chairing a European study group on the subject.

Consultants try to make the recession pay

Management specialists struggling in the slump, like their clients, are taking their own advice. Martin Barrow reports

After almost a decade of unprecedented growth, management consultancies are feeling the chill wind of recession. Despite difficult economic conditions the industry returned a 24 per cent rise in fee income during 1990, a performance which would be the envy of other sectors of industry.

However, the increase represents a marked slowdown from the 60 per cent growth enjoyed in the previous 12 months. In addition, it probably overstates the underlying position, for the bulk of this growth was achieved during the first half of the year.

Conditions deteriorated in the final six months. George Cox, the managing director of Butler Cox, and president of the Management Consultancies Association (MCA), warns that 1991 could show "very little genuine growth" in total consultancy income.

Even his forecast may prove over-optimistic. Andersen Consulting, which last month reported a 40 per cent increase in fee income, to £130 million, in 1990, says independent research shows the industry should expect no growth this year.

While some would find it reassuring to discover that management consultancy is subject to the same economic pressures and the same market forces as its clients, most would expect the industry to thrive, as business seeks answers to the many questions posed by the sudden economic downturn and upheaval in the Gulf.

Not so, counters Brian O'Rourke, the executive director of the association, which has 33 members. It is his view that management consultancy thrives in periods of "discontinuity", but not uncertainty, which forces clients into inaction. By the end of the year both the pattern of the recession and the high probability of war in the Middle East were sufficiently identifiable for clients to seek advice.

Both Mr Cox and Mr O'Rourke believe that the worst now lies in the past and management consultants have emerged leaner and fitter from the recession. "Member firms have had to become leaner and hungrier," Mr O'Rourke says work has not come to them — "virtually all has been sought in a competitive environment". A detailed breakdown of sources of fees for management consultants shows resilience in the public sector, which is highly competitive, and further growth in business from mainland Europe, where British firms, despite their impressive track record and lead over continental firms, are relative newcomers.



Competitive: Brian O'Rourke



Warning: George Cox

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The Association

The Management Consultancies Association was formed in 1956. Its primary purpose is to ensure that management consulting work is carried out to exacting standards by requiring adherence to a code of professional practice. The Association also prides itself upon its stringent conditions for membership which relate to the stability, experience and qualifications of its professional workforce. These are verified annually. The Association is a company limited by guarantee.

The services provided by Members include:

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Confidential Client Information Service

The Executive Director of the Association maintains records of the specialist skills and industry experience of member firms. He is in a position to provide potential clients with a shortlist of member firms whose project experience matches the task in view. Such advice is impartial and confidential.

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Euro-money asserts its power

Management consultants, so often the apostles of change in their clients' organisations, are on the brink of a transformation that will set the industry's future direction.

Apart from the effects of the recession on what many considered a recession-proof industry, we are witnessing the decline in influence of two of the main factors that have helped shape its development and rapid growth over the past three decades in Britain and the rest of Europe.

The influence of the United States on European business and management thinking has been immense, ever since the period when America led Europe in terms of gross domestic product (GDP), growth and industrial performance. The US companies were considered better managed and seen as an example to be followed. The US business schools and their development of the "management science" helped to fuel the growth of strategy consultancies such as McKinsey, Bain and the Boston Consulting Group which spread the new business thinking abroad.

This lead has been swept away. The GDP of the EC countries is now greater than that of the US, whose company business performance lags behind that of several European countries. As a result, the management consultancy pendulum is swinging from the US towards Europe.

This will have a far-reaching

As American influence declines, Hugh Lang (right) forecasts a time of change for UK consultancies



effect on British consultancies. European business culture is less short-term than in America, in its lack of dominance by stock markets and its longer-term attitude to investment.

The progress for management consultancies in the Nineties will, therefore, involve an increasing European awareness in the business. This thinking contributed to the formation of EI (the European Independents), a consortium of leading independent management consultancy groups from eight countries.

As a result, consultancies will emphasise language ability when recruiting staff. Experience of working in other European countries will be an advantage for consultants, if not a requirement. People will move about far more, not just between companies but between countries.

The structure of the industry will also change. The entry of accountancy firms into the management consultancy market in an attempt to add value to their audit services was a development of the poacher-game-keeper tale, except that the poacher is now also the magistrate. Through a series of mergers, the top five or six accounting firms have built global organ-

isations which are not as integrated as they appear, and there are often conflicts of interest within them. As for working for their audit clients, the accountancy-based consultancies may be living on borrowed time. However effective the Chinese walls may be claimed to be, clients will feel increasingly that the same company cannot be both judge and advocate on their business affairs.

The separation of audit from other advisory services on the basis of conflict of interest, which is increasingly being seen in the US, will happen here as a result of the growing pressure from political parties and the European Commission.

If these two developments will affect the future structure of the consultancy sector and the business attitudes it engenders, what of the work that consultants are called on to do?

This will also change, if for no other reason than that no section of business or commerce has been immune to the effects of the growth in information technology. Since most managers in client companies will have a computer, analytical work will

become easier for companies to handle using their own resources. The function of the consultant here will be to help companies to harness the power of IT in their organisations.

Increasingly, the role of consultants will be to do with the management of change, the process of changing the behaviour and influencing the way individuals interact with the cultural aspects of the organisation. In a sense, consultants will become intervention agents, helping clients to work through their own people to achieve change.

Of course, because our clients will increasingly be running a tight ship and focusing on their core businesses, they will not carry staff for occasional ventures. And because these one-off projects occur with increasing frequency in go-ahead organisations, the opportunities for consultants to supply skilled cost-effective reinforcements will also increase.

The future for management consultancies is as much about change and the breaking down of barriers as it is for any of the other industries in which consultants work. The old conflicts between the accountancy, strategy and independent consultancies will fade. In future, we will all be "independents", promoting Euro-business values within organisations. And the main beneficiary will be our clients.

© The author is the executive chairman of P-E International.



Euro-currency: now management consultancies are leading the Americans

Companies tap people power

Human resources consulting mushroomed in the Eighties because few of the strategic investments made by companies were realisable without the commitment, development and support of their workers. The introduction of information technology, customer service initiatives, total quality management, and other measures to improve productivity and performance fell on stony ground if employers failed to examine the implications for their personnel policies (Michel Syrett writes).

Roger Cooke, a partner in Coopers & Lybrand Deloitte, says: "One of the big companies in human resources consultation says it has always emphasised the importance of this. We help to design the right structure for the organisation, look at the staffing implications of change, identify potential shortages and surpluses of staff and examine training needs."

"We analyse the way communication between different parts of an organisation occur, how organisations work in practice and what can be done to make them work more effectively."

As personnel departments have become more effective in using consultancy services, a wide range of specialisms have also sprung up.

Executive selection is in sharp decline, with appointments the lowest for ten years, — although companies are still looking for key managers for tough times, such as commercial and financial directors.

There is a renewed demand for career counselling services, especially after redundancies. Well-established firms such as Pauline Hyde & Associates, Drake Beam Morin, TDA Consulting and Saville & Holdsworth have been joined by newer practices started by firms such as MSL International, which sees its career counselling service as a mainstay now that its painful separation from the Hay Group is complete.

The size of the market is illustrated in a recent survey of 564 United Kingdom companies by Post Marwick's career consultancy. Nearly half (45 per cent) provide some form of career counselling and of those that do not, almost three-quarters envisage doing so over the next five years.

John Hall, United Kingdom head of Post Marwick's career

consultancy, stresses that companies are keen to provide proper career information and advice to redundant executives to protect their reputation.

Other parts of HR consulting have been less affected by the recession, according to Alan Little. "Organisations tend to have people problems whether they are in growth or decline," he says.

However, Mr Cooke argues that clients are becoming more precise in their demands and want greater value for money.

"We are seeing a demand for a newer breed of consultants who are more mature and have the ability to work with clients over a long period," he says. "The important factor is their ability to understand the human dimension of change."

Qualifying the individual...

Founded in 1962, the Institute of Management Consultants (IMC) is the professional body for individual management consultants in the United Kingdom and Ireland.

Suitably qualified individuals applying for full membership are interviewed by a board of experienced consultants and are required to exhibit the range and quality of work they have conducted. The objective of this procedure is to ensure that a candidate's competence meets the standards required by the Institute.

Full Members and Fellows of the Institute may use the letters of qualification MIMC and FIMC respectively.

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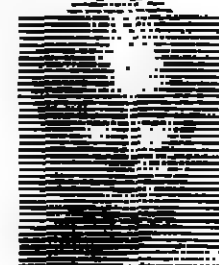
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Milan sends in the moneymakers



In the booming Eighties Italy's top fashion designers ruled the world. Now they are using their lower-priced collections to tackle the recession. Liz Smith reports

Italian style has always been synonymous with prosperity. During the good times of the Eighties Milan became established as a world fashion centre. The easy elegance of a Giorgio Armani suit, the flamboyance of a Gianfranco Ferré beaded sweater and sarong or a Gianni Versace sharp-shouldered leather jacket, all came into our fashion consciousness during the *dolce vita* days of the last decade. Max Mara, celebrating its fortieth anniversary this week, consolidated its grip on world fashion in the retail boom of the Eighties.

In Milan this week it is interesting to watch how Italy's top designers are tackling the challenge of the bad times. With the instinctive common sense that can be found at the root of the best of all Italian design, from a Gaggia espresso machine to a Missoni jacquard sweater, the Italians are struggling off the problems of the recession by concentrating on their second-string collections, those lower-priced lines that are the moneymakers in fashion. More importantly, they are playing on their design skills and attacking retailing lethargy with some of the oldest weapons in the design book: up-front sea appeal and assertive glamour.

Even as discussions were raging about the appropriateness of extravagant shows this season and, indeed, the likely presence or absence of American and Japanese buyers (both are in evidence in Milan this week, although depleted in numbers), the designers began jostling for the coveted position of being last to show. Versace was first to switch from



his traditional slot on the opening Sunday to next Thursday, and set off a game of grandmother's footsteps that is still in play. None of the top names — Ferré, Fendi, Krizia and Versace — has shown yet, and Armani is winding up the programme on Thursday night.

The trend for winter, however, has begun to emerge. Hemlines stay short, although some designers are following the longer look set by Karl Lagerfeld at Chanel in January (he shows his Fendi collection tomorrow). Byblos, Krizia and Moschino are all playing half-heartedly with longer, mid-calf skirts. While the audience at the shows is still cocooned in this winter's fluffed-

up silk parkas and quilted jackets, the hooded A-line coat is taking over from the parka for next winter. Few women are going to be prised out of their winter layers of leggings and high boots, worn with trapeze tunics, oversized sweaters and short coats, and Italy's designers agree with them. Colours are still bright, with black and white used for added punch. Even Armani has brightened up his traditionally neutral palette to include hot pink and red, although in subtle, dusty tones.

The designers behind Dolce & Gabbana, one of the top-selling Italian labels in Harvey Nichols, are infatuated with the female pin-up. Bra and corsets are shown

layered over turtle-necked jumpsuits and leggings that disappear to become high-heeled boots. Long gloves are, in fact, sleeves cut all-in-one with boleros, worn over bondage dresses with full chiffon skirts.

Maribou and fox tails in orange, saffron, mauve and sage swing around shawl-collared coats that envelope the jewelled corsets and velveteen catsuits printed with Jackson Pollock's abstract flashes. Other than a lean frock-coat in pale green worn with trousers, there was little to show off the talents that have established the pair in Milan's design establishment.

Domenico Dolce and Stefano



Top left, Byblos: sectioned trapeze coat in black and white with horizontal zip over white shirt dress banded with black. Centre, Emporio Armani: short jacket in orange and yellow check with wrap skirt. Above, Moschino: Giotto angel framed on the front of navy T-shirt under gold jewel-braided navy jacket with jeans. Left, Dolce & Gabbana: red velvet moiré shawl-collared reversible coat over black satin damask corset and black jersey turtle neck sweater.

Franco Moschino, whose new fragrance (OK-KO for men, Moschino for women) are to be launched in Harvey Nichols this month, has not staged a show this season. His successful style is based on re-creating classics such as the Chanel-style cardigan suit or a military jacket, and exaggerating every detail with oversized braid and buttons. His gags this season include parka quilted coats that transform into sleeping bags.

London's mods from two decades ago, dressed in black drainpipes and long Crombie coats with white shirts, clearly made a lasting impression on Gianfranco Ferré. He summoned them up again when describing the inspiration for his new collection, to be shown in Milan tomorrow. "The English have a natural eccentricity," he says. "I love the way you take traditional clothes and make them look more modern." Ferré's London look is translated into suits made of black and white chenille worked into a chevron tweed, or a grey masculine suit with diamond buttons.

Knight of heavy metal

The Crafts Council's new chairman is also a silversmith

Last Friday the Crafts Council welcomed a new chairman, Sir Nigel Brookes, the property developer and founder of Trafalgar House.

He succeeds Sir Nevil Macready, the former managing director of Mobil Oil who has presided over the council for seven turbulent years. Sir Nevil has seen off the Wildlife Report, which recommended the body's amalgamation into the Arts Council. He leaves just before the Crafts Council moves into new premises in Islington, north London.

During the past 20 years, post-war British craft has come of age. The craft economy turns over £200 million each year. Out of 25,000 craftsmen in Britain today, about 7,000 depend on this work for their living, and of that number about 500 are of international standing. Today's young artisan is far more likely to be earning £15,000 to £20,000 a year within three or four years of completing his training than a painter or sculptor, who may never sell anything. About 90 per cent of the British population own at least one craft-made artefact, even if it is only a small pot.

Sir Nigel, who describes himself as "tolerably dextrous but not particularly artistic", brings another qualification besides business acumen to his new job. He is a silversmith. Over a three-year period, Sir Nigel made a set of 24 place settings, each of 11 pieces. His largest work to date is a 30in high candelabra, made to complement an antique French pair by Odier that he owns.

At present the Crafts Council is considering Per Cent for Art, a scheme which started in the United States, and suggests that developers set aside 1 per cent of building costs for works of art and embellishment. Sir Nigel is guarded in his reaction to this project. Could he use his influence to have more craft work incorporated into new buildings? "Nothing I can say or do would cause another developer to do something he did not want to do in the first place," he says. But what about Trafalgar House? "I can't possibly compel my company to spend 1 per cent of its budget on works of art," he says hastily.

The Crafts Council has another ambition in which Sir Nigel may be more ready to help. Having raised the profile of British crafts, the council would like to see its exhibitions accorded critical status. It would like a body of journalists to emerge capable of recognising the artistic value of new pieces and placing them within their historic context. At one time Trafalgar House owned the Daily Express newspaper group. Sir Nigel, who relishes his press coverage, should find this project well within his considerable organisational skills.

GERALDINE RANSON
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Patterns with patina

More than a century of fabric design goes under the hammer today

HOW often do the staff of auction houses feel tempted to bid at their own sales? In the case of the textiles department at Christie's South Kensington the temptation must be great, though it is being resisted. Its auction today at 2pm will include 70 lots that make up a unique archive of fabric designs, arranged in albums, providing an unbroken history of textile design from 1849 to the early 1960s.

Susan Mayor, the head of textiles at Christie's, says: "It could make dating antique clothes and furnishing fabrics so much easier for us, but buying at our own sales is strictly against the rules."

The archive, which is bound in unwieldy albums each about 12in thick, was salvaged by the vendor from a firm of engravers at Strangeways, Manchester, when it closed in 1965. Lockett, Crossland & Co had prepared the designs, and

the machinery for printing them, for textile mills at home and abroad. There are designer proofs for Russian tablecloths (picturing semi-nude peasant scenes), Peruvian handkerchiefs, and fabrics for India (with elephants) and China (pergolas).

The dress fabrics range from sprigged designs for everyday garments to patterns of entwined foliage and butterflies, often in exquisite colour combinations which have not lost their freshness. (Part of the rarity of the albums, Ms Mayor says, is that the proofs were printed on calico; other engravers used paper, which perished over the years.)

The prototype of almost every printable design now used is to be found somewhere within the albums. Christie's expects bidders to include museums and textile designers. There might also be a few students of design, although these might be excluded by estimated prices of between £100 and £2,000 per lot. Apparently there is nothing to stop the albums' new owners from reproducing patterns in the archives as their own.

JENNY GILBERT

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Knight of heavy metal

CONCERTS

Playing names

When is a festival not a festival? On Sunday night, it seemed. On Monday morning the postman delivered a glossy information pack all about "Swissfest 700", a year-long celebration throughout Britain, commemorating the birth of Switzerland. Included in the list of concerts was the one given by the London Symphony Orchestra at the Barbican the night before. Apparently it was part of the festival's "Homage to Ansermet". But only the faintest reference to the festival, and no mention at all of Ansermet, appeared in my programme. In any case, Myung-Whun Chung's performance of Berlioz's *Symphonie Fantastique* rendered associations with other conductors irrelevant. Undoubtedly, Chung likes to play the exhibitionist but he

hard sforzandi became an annoying cliché of soloistic heroism. For its Festival Hall concert conducted by Neeme Järvi last Thursday, the Philharmonia Orchestra chose an all-Russian programme, including Christopher Palmer's new adaptation of the music Prokofiev wrote for Eisenstein's aborted film, *Ivan the Terrible*. Unlike a predecessor in this task, Abram Stasevich, Palmer omits the narrator's role and forms a suite of 13 movements. The piece still seems awkwardly long, yet it is hard to imagine an epic film on this subject being matched by music more appropriate.

The subject, and indeed the medium, unleashed the least inhibited side of Prokofiev's art. This score's panorama is vast, its drama immediate and colourful. The Philharmonia Chorus sang with sturdy strength, Linda Fimble and Nikita Storozhev were both fine soloists, and the orchestra thoroughly enjoyed itself.



Neeme Järvi: fine Prokofiev

does so with great skill, and the players responded to him with enthusiasm and finesse. The string sound was rich and warm, the ensemble close to impeccable. There were many excellent individual contributions, notably from Christine Pendrill's finely controlled, winsome cor anglais in the "Scene aux champs" and from Nicholas Rodwell's piercing E flat clarinet in the *Winches Sabbath* music.

Chung, moreover, showed himself an adept accompanist in Tchaikovsky's Violin Concerto — as he sometimes had to be, given Igor Oistrakh's tempo. Flexibility. Oistrakh displayed a strong sound and certainty of gesture. But, despite a gloriously sung middle movement, there was something unfinished about his reading, and the persistent,

Earlier, Mikhail Pletnev, in his typically hard-edged, thrusting account of Rachmaninov's First Piano Concerto, had sometimes been just too keen to force the pace. And I do not know why Rodian Shchedrin's brief Concerto No 1 for Orchestra (1963), subtitled "Naughty Limericks", should have been chosen to start the concert. An essay in orchestral virtuosity, its triteness demeaned the concert.

The English Chamber Orchestra's "Mozart 200" series proceeds apace. Last Saturday's Baroque concert, a relatively low-key affair, was devoted to music from the year 1776, including the complete "Haffner" Serenade. Leopold Hager, the conductor, comes from the old Austrian school: in subtlety of phrasing and rhythmic lightness he did not match Sir Colin Davis, though he maintained the impetus well in the three Minnets. Earlier the young Romanian, Aleksandar Madzar, gave a wonderfully restrained account of the Piano Concerto, K238.

STEPHEN PETTIT

ROCK

Byrd man has done his time

Roger McGuinn does not have the air of a man at peace with himself. As the former leader of the Byrds and originator of their widely imitated "jangly" guitar sound, he qualifies as one of rock's principal visionaries from the Sixties. Yet there is a pained look about his craggy features as he perches nervously on the edge of his seat.

Roger McGuinn, one of the most influential figures in Sixties' rock music, talks to David Sinclair

He is on a promotional tour, visiting television and radio stations and playing at "private dinner parties for the retail people and the media". After a month of this in America, and a week in Europe, it is all getting a bit much. This meeting has had to be postponed (from 11.15 am) so that he could get out of bed. The rest of today's interview have been called off.

This is all very rock star-ish for a man that few people have heard of, or from, in the last ten years. Indeed the album which he is plugging so assiduously, *Back From Rio*, is his first solo release since *Thunderbird* in 1977.

"I got tired of touring with a band. It came to the point where I was doing it for the money but there wasn't any. I decided to recapture my musical integrity. I was brought up in folk music. People like Pete Seeger were my heroes and they went out on their own with one instrument and charmed the audience. That was my goal. I was able to get bookings constantly, so I did about 100 shows a year, minded my own business and ignored the recording end of the industry."

As the Eighties wore on there was a sea-change in critical and commercial perceptions of McGuinn. First Tom Petty forged a career out of his love of the Byrds' blend of harmony and rock textures, then gradually other disciples such as R.E.M., Green On Red and the Church emerged, all tipping their hats to

McGuinn's style of playing. Britain is currently buzzing with hot young bands who owe a stylistic debt to the Byrds — the Charlatans, Ride, the House of Love and the Smog Roses to name a few.

Not surprisingly, record company executives began to wonder what had happened to the man in the Ben Franklin "granny" glasses who composed such classics as "Eight Miles High", "So You Want to Be a Rock 'n' Roll Star"

'I got tired of touring with a band. I was doing it for the money but there wasn't any'

and "Chestnut Mare" and whose high quavering vocals led the charge on "Turn! Turn! Turn!" and Dylan's "Mr Tambourine Man": the song which kickstarted folk-rock. McGuinn's phone started ringing again. Of the various deals that were offered he chose Arista's, because he remembered working happily with managing director Clive Davis, in the days of the Byrds. A wholesale reassessment of the Byrds' legacy has been

gathering momentum in recent months. The release in February of a digitally remastered CD version of their *Greatest Hits* album came in the wake of a superb four-CD boxed set called *The Byrds*.

McGuinn was closely involved with the project, sifting through hours of tape and coming up with previously undiscovered vocal tracks by the late Gram Parsons and at least one unreleased old song, "Mae Jean Goes to Hollywood". McGuinn had forgotten it even existed. "It was intended to be an archival collection. We were trying to go behind the scenes and get into the nooks and crannies and find the things that fell through the cracks and bring them out for people who are fascinated by stuff like that."

However, after talking about the Byrds for perhaps four minutes, McGuinn indicates his impatience with the subject with an abrupt: "Could we focus a little more on the current project?"

"I've done a lot of these interviews," he explains. "Sometimes people write volumes about the Byrds and maybe this much [he indicates a small amount] about *Back From Rio*. It's counter-productive to what I am doing."

But the CD retrospective was only released last December. Surely that is still current? "But I'm not here to plug that, at this point. I do have an interest in it. Sure, I like it. I would recommend it to people. Perhaps such a hard-headed attitude is understandable, if not especially palatable, from a man whose solo career has been dwarfed by that of the group with which he first made his name."

Now 48, he was born James Joseph McGuinn III in Chicago. While still in his final year at school he got an offer to work with a folk group called the Limeliters. As soon as he had graduated he flew out to California to join them



Fretting fingers: Roger McGuinn holding his custom-built 12-string Rickenbacker

on tour. "I've been on the road ever since." A flirtation with a strange Eastern religion in the Sixties resulted in the changing of his name. "There was a guru in Indonesia who said that if I changed my name to one that he gave me, my soul would vibrate better with the universe." A credulous Jim McGuinn duly became Roger McGuinn. However, a lot of people thought that Roger was really Jim's twin brother and that Jim had gone to live in Rio. Hence the album title, *Back From Rio*, apparently a joke relating to this.

McGuinn has now reverted to the Christian faith in which he was brought up, but having made his most revealing comment on the subject, he later insists that I strike it from the record of our conversation. Also on the proscribed list of topics is anything to do with Bob Dylan. "I make it a policy never to discuss Bob Dylan. He's always been one of my heroes. I leave it at that."

It is certainly easier when faced with a subject like McGuinn to let the music do the talking. The following night he is to be found playing in front of an invited audience of journalists, DJs and music industry hangers-on at the Borderline club in the West End, a cool and energetic way of wooing the people who count without going through the rigmarole of putting on a proper show for the fans who might eventually buy his record.

RECORDS: CLASSICAL

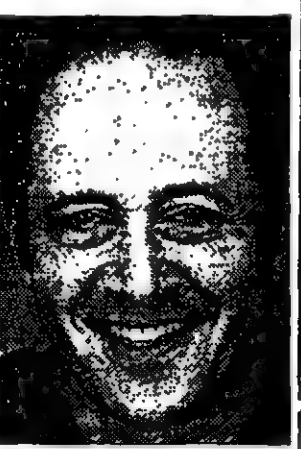
Failure sounds far more appealing than success

JOAN La Barbara's Cage record is a gentle, touching document: an anthology of the composer's songs in which occasional percussion or electronic accompaniments do not get in the way of the natural, lit, freshness and intimacy of the voice. It is a context in which La Barbara flourishes.

As she reminds us in her introductory note, Cage's music generally requires a vibrato-free delivery, a rawness innocent of the cookery of classical vocal technique. And this she provides, in a selection which zig-zags between the 1940s and the 1980s, between the spell-binding incantations of Cummings and Joyce (*Forever and Sunsmell* and *The Wonderful Widow of Eighteen Springs*) and pieces in which fragmented texts in English and French are let loose as breathes of song.

She is less at home in the odd, more knowing piece that seems to derive from Cage's

Cage: Singing Through Joan La Barbara. New Albion/Harmonia Mundi NA 035. Reich: *The Four Sections*, Music for Market Instruments LSO/Tilson Thomas, Steve Reich and others. Elektra Nonesuch/Warner 7559 75220-2. Copland, Barber, Carter, Ives: Piano Sonatas Peter Lawton. Virgin VC 7 91163-2



Steve Reich: alien weight of strings is not suitable

acquaintance with the many voices of Cathy Berberian (especially *Solo for Voice 52*), though her yelling of the Berberian memorial *North upon Nacht*, another *Finnegans Wake* setting with slurred piano, is extraordinarily powerful. She also has problems with three craft songs by Satie, interspersed within the cycle *Sonnets* and heard as if from another room, though if these are weak Satie they are strong Cage, since the brave exhibition of failure is so much what this composer is about.

Steve Reich is in the business, rather, of success, and his discomfiture in his orches-

tral piece *The Four Sections* (1986-87) is less positive. What he offers is a sort of minimalist person's guide to the orchestra, with characteristic repeating patterns growing in ensembles of strings, percussion and wind before gathering the whole band together. The problems are twofold. In the first place, conventional instruments introduce adventitious and unhelpful references to other music, notably to Copland in the bare string harmonies of the opening section. And secondly, the strings in particular introduce an expressive weight alien to Reich's world.

Since writing this score he has found his own way into darkness in his electronic string quartet *Different Trains*, and one learns without surprise, even with relief, that he has now decided to abandon the orchestra again. The wisdom of that decision is reinforced by the inclusion with *The Four Sections* of Reich's most luscious piece from the previous decade, *Music for Mallet Instruments, Voices and Organ*. However, an earlier recording of that work, remarkably close to its successor in timing, can be heard on a Deutsche Grammophon double album which includes the marathon *Drumming*.

Earlier American music of percussive joy and lyricism is beautifully presented by Peter Lawton in an intriguing selection of piano sonatas by Ives, Copland, Carter and Barber. These last two, writing in the 1940s, both seem to be following where the Copland sonata had led at the start of the decade. The *Three Pages* Sonata of Ives sounds here — in a performance which does full justice to its lapel-grabbing force, its dirt of commonplaces and its ethereality — like a challenge warning to be discovered.

PAUL GRIFFITHS

RADIO

War-jaw jars when peace breaks out

In the field of inert platitudes, this drab piety: "Let's just hope that having won the war they can now establish the peace," takes some beating in the realm of verisimilitude. It is a non-starter. Only somebody with a Teflon tongue and Kevlar ears would consider uttering it in the first place, but the speaker was Peggy in *The Archers* (Radio 4, Sunday) and not John Major, after all. In the country we like our barnyard dialogue seeded with topicality, even if that means getting the BBC to supply last-minute inserts for soap operas.

Among the chattering classes it is the consensus that Radio 4 had a good war, attracting little of the incoming fire sustained by television coverage and only managing to annoy grouches such as your correspondent, who cannot abide the reception on long-wave. The outbreak of peace on the FM band has meant that close attention can be paid to such as the last of *The Radio 4 Debates* (also Sunday), from the Royal Institute of International Affairs at Chatham House. On the eve of the prime minister's first visit to Moscow, the motion that "The time has come for the West to stop supporting Presi-

dent Gorbachev" was proposed by a former British ambassador to the Soviet Union and seconded by a Soviet exile who accused the present regime of using the Gulf war as a smokescreen to commit mass murder in the Baltics and rob old-age pensioners of their savings. Heady stuff: the opposition — which chiefly relied on the argument of the devil you know — was fronted by an American sometime Salt negotiator. It is worth repeating what this latter gentleman actually said of his hero, the Nobel laureate: "He has removed the Soviet jackboot

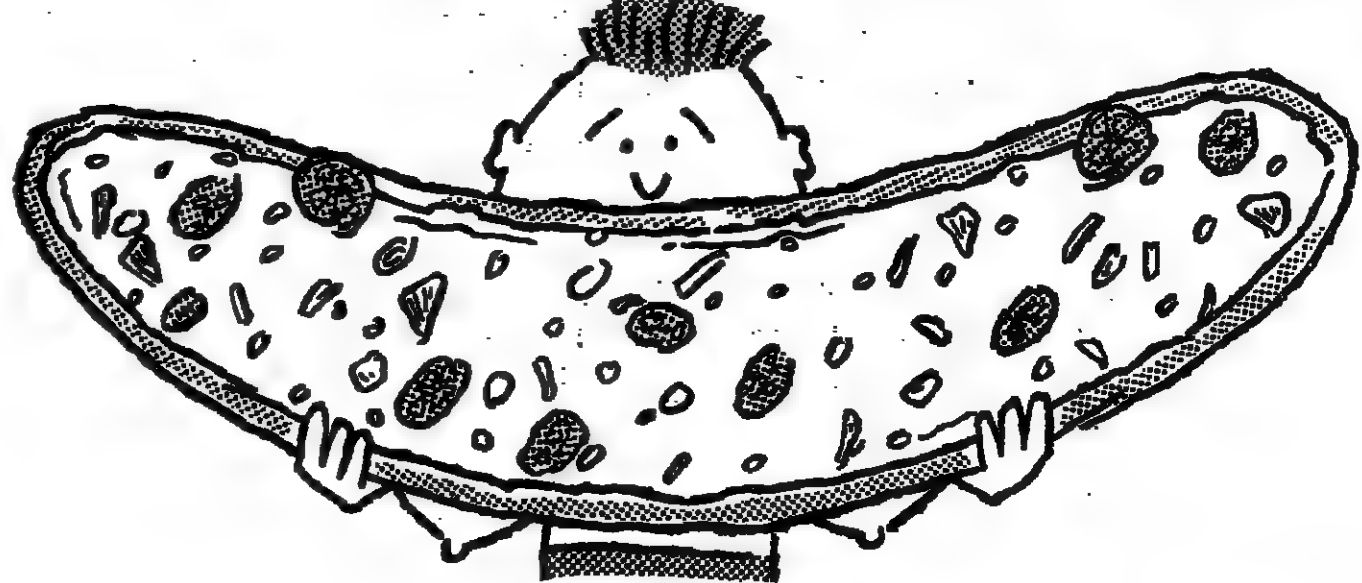
from the necks of the Central Americans. I'm sorry — the Central Europeans." Laughter supervened from the assembled diplomats and academics, obliging Sifta Sam to extemporise: "We've still got our jackboot on the Central Americans." He was trying to be funny. The motion was defeated 55-45.

Escudor Days (same frequency) had a quartet of middle-aged men from Bernsley lounging around a microphone and reminiscing with soft voices about their former incarnation as a beat-group of the early 1960s. The career of The Escudors was perhaps less than distinguished: modern recordings of their repertoire suggested several reasons why they enjoyed less of a global impact than their contemporaries from Liverpool. Their career seems to have consisted in the main of playing sets between bingo sessions in halls where the MC reminded the audience to refrain from urinating through letterboxes on the way home. At one gig an epic fight developed out of a factual argument as to whether or not Tom Jones, the singer, starred in *Tom Jones*, the film.

MARTIN CROPPER

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BBC

6.00 *Casualty*.
6.30 *Breakfast News*.
9.00 *Kilroy*. Robert Kilroy-Gilchrist hosts a discussion on step-parents. **9.55** *Regional news and weather*.
10.00 *News and weather*. **10.05** *Playdays*. **10.30** *Dish of the Day* prepared by Rosemary Moon. **10.40** *Going for Gold*. Quiz game with European contestants presented by Henry Kelly. **11.00** *News*. **11.05** *People Today*. Includes *Health Line* with this week's examination of allergies.
12.00 *News and weather*. **12.05** *Rosemary Conley's Diet and Fitness Club*. Keep fit series. **12.20** *Scene Today*. Live entertainment from Peabody Hall presented by Judith Spiers and Tim Grundy. **12.55** *Regional news and weather*.
1.00 *One O'Clock News*.
1.30 *Neighbours*. *Casualty*. **1.50** *Going for Gold*. Host Henry Kelly invites European contestants to compete for a Kenyan estate holiday.
2.15 *Film: Obsession* (1948, b/w). Robert Newton stars in a gripping drama about a doctor who kidnaps, imprisons and tortures his wife's lover (played by Phil Brown), with the intention of murdering his rival in an acid bath. Directed by Edward Dmytryk. **2.45** *Open House*. **3.00** *Best of British*. **3.25** *The Fintonaire*.
3.50 *Bliss*. Caitlin Easterby and Simon Pascoe show children how to recycle household junk. **4.05** *Hockey*. **4.10** *Cartoon*. **4.15** *Cartoon*. Part two of *The Unlikely Family*, written by Max Henry. **4.25** *Cartoon*. Part two of *The Unlikely Family*, written by Max Henry. **4.35** *The Really Wild Show*. **4.45** *Cartoon*. **4.55** *The Really Wild Show*. **5.00** *Newsround*. **5.10** *Grange Hill*. Episode 17 of the 20-part drama series set around the pupils of a comprehensive school. **5.40** *Neighbours*. **6.00** *Six O'Clock News* with Anna Ford and Chris Lowe. **6.30** *Regional News*. **6.55** *Cartoon*. **7.00** *Holiday '91*. Anne Gregg and Eamonn Holmes present the travel show. This edition is devoted to holiday ideas for children and families, including a football holiday at Bobby Charlton's Soccer School, and a Swallows and Amazons break in the Lake District. **7.30** *EastEnders*. More elating matches with the residents of Albert Square. **8.00** *Dead's Army*. Classic comedy with the home front soldiers. The plotline is chosen for "special duties", but things get out of hand when a secret weapon runs amok. **8.30** *Cartoon*.



Stalking round the wrong numbers? Joanne Conway (8.30pm)

8.30 *A Question of Sport*. David Coleman hosts the quiz show which appeals even to those who hate sport. Team captain Bill Beaumont is joined by sports car champion Martin Brundle and Jockey Richard Dunwoody, while Ian Botham is in the company of Joanne Conway. Britain's top women skater, and Arsenal and England footballer Les Dixon. **9.00** *Nine O'Clock News* with Martin Lewis. **9.30** *Film: Murder in the City of Angels*. (1988). Post-second world war Los Angeles provides the setting for this powerful made-for-television thriller, a pilot for a series that never happened. George Peppard plays a detective Frank Doskey of the LA police department, engaged in a struggle with the mob for control of the city. Kathryn Harrold co-stars as a war widow afraid of committing herself to Doskey in case she is widowed again. Directed by Steven H. Stein. **10.00** *Cartoon*. **10.10** *Cartoon*. **10.15** *Cartoon*. **10.20** *Cartoon*. **10.25** *Cartoon*. **10.30** *Cartoon*. **10.35** *Cartoon*. **10.40** *Cartoon*. **10.45** *Cartoon*. **10.50** *Cartoon*. **10.55** *Cartoon*. **11.00** *Cartoon*. **11.05** *Cartoon*. **11.10** *Cartoon*. **11.15** *Cartoon*. **11.20** *Cartoon*. **11.25** *Cartoon*. **11.30** *Cartoon*. **11.35** *Cartoon*. **11.40** *Cartoon*. **11.45** *Cartoon*. **11.50** *Cartoon*. **11.55** *Cartoon*. **12.00** *Cartoon*. **12.05** *Cartoon*. **12.10** *Cartoon*. **12.15** *Cartoon*. **12.20** *Cartoon*. **12.25** *Cartoon*. **12.30** *Cartoon*. **12.35** *Cartoon*. **12.40** *Cartoon*. **12.45** *Cartoon*. **12.50** *Cartoon*. **12.55** *Cartoon*. **1.00** *Cartoon*. **1.05** *Cartoon*. **1.10** *Cartoon*. **1.15** *Cartoon*. **1.20** *Cartoon*. **1.25** *Cartoon*. **1.30** *Cartoon*. **1.35** *Cartoon*. **1.40** *Cartoon*. **1.45** *Cartoon*. **1.50** *Cartoon*. **1.55** *Cartoon*. **2.00** 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Labour goes on the alert for June election

By Philip Webster and Richard Ford

PLANNING for a June general election by the two main parties intensified last night as Labour went on "full election alert" and the Conservatives prepared to have a draft manifesto ready by Easter.

Labour's campaign strategy committee, which comprises members of the shadow cabinet, the national executive and trade union leaders, was told that the party organisation was ready for an election in May or June.

John Underwood, the party's director of campaigns and communications, told the committee that John Major's honeymoon period, the end of the Gulf war and the deepening recession might increase pressure for an early election. He said that although there were divisions within their leadership about timing, the Tories might be tempted to "cut and run" on May 2, the day of the local elections, in an effort to ease their difficulties over finding a solution to the poll tax problem.

Mr Underwood predicted, however, that the election would be about the performance and potential of the economy. The committee agreed to step up campaigning on the economy and to attempt to pin personal responsibility for the recession on Mr Major, who served as chief secretary to the Treasury and Chancellor before becoming prime minister.

The campaign will focus on Conservative responsibility for two slumps. Neil Kinnock, the Labour leader, told the committee: "The Tories have nothing new to offer. If re-elected they will take Britain through the same routine of short credit-led consumer boom followed by inflation, then deflation and then another recession. These Tories are people who cannot see a mistake without wanting to repeat it."

As the Labour team was meeting it was disclosed that at least half the specialist Conservative manifesto groups have reported to Central Office, and the remainder will have finished their work within the next few days. Chris Patten, party chairman, and Sarah Hogg, head of the Downing Street policy unit, are expected to have the first draft of the manifesto ready by Easter in case Mr Major decides on June.



Pub patrol: Security forces patrolling outside Boyle's public house in Cappagh, east Tyrone, where four men were shot dead on Sunday night. Three were killed in the car shown in the picture and the fourth inside the pub. Two of the four, all Roman Catholics, were said to have been

regarded as suspect terrorists and a third had appeared in court three years ago accused of unlawfully collecting information. The men were named as John Quinn, aged 23, unemployed, Thomas Armstrong, 52, and Malcolm Nesbit, 28, an engineer, all from Cappagh, a republican

stronghold, said Dwayne O'Donnell, 17, from the nearby village of Galbally. Police were yesterday interviewing two men about the killings. The Ulster Volunteer Force, which admitted carrying out the attack, said some of the victims were IRA members. Report, page 3

Air-sea hunt for trawler widens in force 7 gale

By Alice Thomson

A SEA and air search was continuing yesterday for the three-man crew of a trawler that disappeared off the north Cornwall coast while fishing for sole. The search, in heavy seas, began on Sunday night when the 12th Lady Sylvia, registered in Exmouth, Devon, failed to report back by 11.30pm.

"It is an extremely dangerous part of the coast," a coastguard in Falmouth, Cornwall, said. "We have saturated the area with vessels and helicopters. The boat just seems to have disappeared but we are not giving up."

A lifeboat from Padstow was scanning the sea ten miles west of Bude with the help of three fishing vessels, a German coaster, a Sea King helicopter from RNAS Culdrose, Cornwall, a coastguard helicopter from Solent fitted with infra-red cameras and a Nimrod maritime patrol aircraft from St Mawgan.

Searches were being carried out along the rocky north Cornwall coastline and a

Royal Navy survey ship HMS Fawn has also joined the search. "Conditions out there are still pretty bad. There's a heavy sea running, a 7/8 gale force wind, visibility is poor and it is overcast and raining," the coastguard said. "This area is notoriously tricky to navigate for smaller vessels, especially during a strong gale."

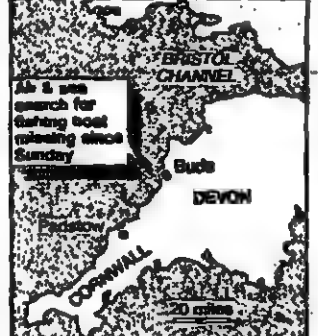
The Lady Sylvia was being skipped by her owner, Kenneth Walkley, aged 31, from Exmouth, Devon. Mr Walkley and his wife Zena have a daughter aged two. He

is a former merchant seaman and an experienced fisherman who has been fishing off the south-west coast for five years. His wife said last night: "I don't know anything about what has happened. I'm so worried." Mr Walkley's mother, Joyce, said: "We are still hoping that he is alive. There is a possibility that they are on life-rafts."

Geoff Ingram, an Exmouth lifeboatman, said: "This has hit us all very hard. We are a close community and it has come as a terrible shock. Kenneth is very well known and very well liked in the town, especially among the other fishermen."

He said that Mr Walkley was always ready to help out with the lifeboat and had been on rescues several times. "We can't imagine what can have happened to the boat out there."

The other crewmen on the Lady Sylvia were John Harris, from Padstow in Cornwall, and Paul Robinson, from Fleetwood, near Blackpool.



Saddam threatened as cities fall to rebels

Continued from page 1

forces had used tanks and heavy weapons to try to suppress the revolt. The sound of explosions could be heard in Khomani, 25 miles

away. Bayan Jabr, the pseudonym of a member of the Supreme Assembly of the Islamic Revolution, said in Damascus that Baath party officials were surrounded inside the Iraqi Red Crescent building and a Baath hospital.

The Iranian government-controlled Tehran Times supported the revolt and called for an end to Saddam's rule in favour of a popular govern-

ment. The paper gave a warning against the army seizing power in Baghdad.

Kuwait government officials said they were not worried by an Islamic revolution in Iraq. Abdul-Rahman al-Awadi, the minister of state for cabinet affairs, said he hoped the instability would give the Iraqis a chance to have a new leader. In Washington, the White House drew some encouragement from the unrest, saying it represented "a degree of opposition and public response to Saddam Hussein that we have never seen in the past."

Two 'unknown' Britons among freed PoWs

Continued from page 1

Baghdad, the organisation would meet with Iraqi officials to discuss release of the other allied prisoners. "The first batch of allied prisoners of war was only made as a goodwill gesture by the Iraqis and they have to work out plans for repatriation of the rest of them," Mr Wigger said.

He said the Red Cross did not have access to the PoWs and did not know how many Iraq was holding. "We understand this will be the beginning of a

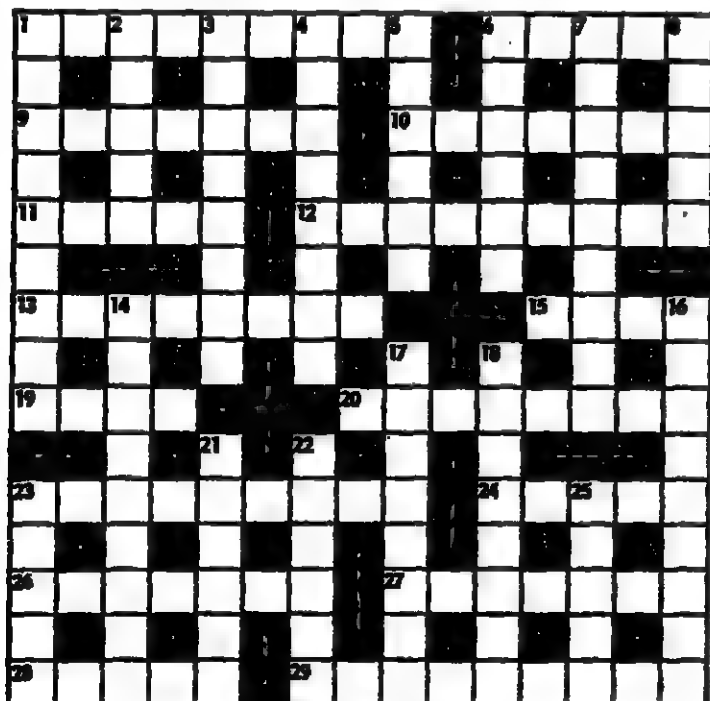
long process to liberate all the PoWs, the Iraqis and the allies," Mr Wigger said. The allies yesterday freed about 300 Iraqi prisoners of war, as part of the agreement reached on Sunday at Safwan, the southeast Iraqi air base occupied by the Americans.

The other missing RAF men are Flying Officer Simon Burgess, aged 23, and his navigator, Squadron Leader Bob Anderson, aged 40, Wing Commander Thomas Ebdon and Flight Lieutenant Robert Collier, Flight Lieutenant David

Waddington and Flight Lieutenant David Stewart, Squadron Leader Kevin Weeks and Flight Lieutenant Rupert Clark and Flight Lieutenant Stephen Hicks.

A full exchange of allied and Iraqi prisoners of war could be completed in as little as two weeks, provided Baghdad did not "throw up any obstacles to the swap", a Red Cross official said. No Iraqi prisoners of war would be repatriated against their will, the Red Cross said.

THE TIMES CROSSWORD PUZZLE NO 18,545



ACROSS

- 1 Circus float without a licence carries clown (9).
- 6 Penny takes notes of debts, that's good (5).
- 9 One who works fast, but not quietly (7).
- 10 Cartilage in right leg - it's torn (7).
- 11 Anchor gets linked, generally amidst ships (5).
- 12 Poet's developed into a lush, if one may use the expression (2,2,5).
- 13 When a murder is involved, nothing is hidden or protected (8).
- 15 Head off for an island (4).
- 19 Calling for gib talk (4).
- 20 Obligated to see two points (8).
- 23 Start off as a pedestrian group (3,2,4).
- 24 The marines generate heat (5).

Solution to Puzzle No 18,544

C H A R I O T
A R O U N D
M O T O R I S T
I N A R A C
S U P E R M A R
C A N C A
C A S T I N G
C O P P E R
C O P P E R
A D V E N T U R E
R A C I N G
O N E
T R A I L I N G
P L A N E T

DOWN

- 2 Siren, I note, is a mythical creature (7).
- 7 It involves many people after a complaint (7).
- 8 Order a cooker (5).
- 29 Art seldom abused by an artist (3,6).
- 1 Vote against - there are seven for putting it in (9).
- 2 No man is this famous (5).
- 3 Dished, i.e. did the dishes (6,2).
- 4 Criminal causing anxiety in Germany (8).
- 5 Garment close to your upper parts (6).
- 6 Father sticks nose into Times leader (6).
- 7 Those people in 25 are improving (2,3,4).
- 8 Arab leader of unstable movement, some say (5).
- 14 Dwarf in the militia? (9).
- 16 Meant more changes in a pressure gauge (9).
- 17 We have an agent out east, from there (8).
- 18 To start right, I will have a pancake... (8).
- 21 ...to finish, I have a vegetable... (6).
- 22 ...because I do without (6).
- 23 Stern out short in part (5).
- 25 Standing before getting caught (5).

Concise crossword, page 13

A daily safari through the language jungle. Which of the possible definitions is correct?
By Philip Howard

- SINGULT**
a. Gully
b. The hiccup
c. A sob
- EXULVIAE**
a. Cast-off skins
b. Maitreight Mass
c. Old grape skins
- JIRBLE**
a. To pour splashily
b. A marmoset's shrill yodel
c. A RMI waltz
- ZUCHETTO**
a. Sweet pasta rings
b. An ecclesiastical challenge
c. A congerie

Answers on page 18

For the latest AA traffic and roadworks information, 24 hours a day, dial 0836 401 followed by the appropriate code.

London & SE traffic, roadworks		
C. London (within N & S Circs.)	731	
M-ways/roads M4-M1	732	
M-ways/roads M1-Derford T.	733	
M-ways/roads Dartford T-M25	734	
M-ways/roads M25-M4	735	
M25 London Orbital only	736	
National traffic and roadworks		
West Country	737	
Wales	738	
Midlands	739	
East Anglia	740	
North-west England	741	
North-east England	742	
Scotland	743	
Northern Ireland	744	

AA Roadwatch is charged at 33p per minute (cheat rate) and 44p per minute at all other times.

Southeast England and East Anglia will be cloudy with some rain. Northeast England and the Midlands will be mostly cloudy but quite bright. Western England and Wales will have some sun and a few showers. Northern Ireland and much of Scotland will have sunny spells and showers, but northern Scotland will have a cloudy start with some rain in the northern isles. Outlook: mild with outbreaks of rain.

MIDWAY: Inflation: C-G: 0.4% to 0.9%, average 0.6%; 1980-81: 0.2-0.8%, average 0.5%				Sun				Rain				Mon			
C				F				C				F			
Algeria	18	91	1	Mexico	17	89	1	Aberdeen	2	91	1	Brighton	1	91	1
America	18	91	1	Mexico	17	89	1	Amman	4	92	1	Brighton	1	91	1
Algeria	18	91	1	Mexico	17	89	1	Amman	4	92	1	Brighton	1	91	1
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America	18	91	1	Mexico	17	89	1	Amman	4	92	1	Brighton	1	91	1
America	18	91	1	Mexico	17	89	1	Amman	4	9					

BUSINESS

TUESDAY MARCH 5 1991

Business Editor
John Bell

Power sell-off going well

A TOTAL of 260,000 applications for shares in the two electricity generators, National Power and PowerGen, have been received from the public, applying for an average investment of about £1,500.

Government advisers to the float say the offer is therefore two thirds subscribed. Final applications must be in by 10 am tomorrow.

On the unofficial "grey market" operated by IG Index, the financial bookmaker, last night PowerGen was trading at 126p and National Power at 120p, against a part-price of 100p each.

Libel action

David Abell, the chairman and chief executive of the engineering conglomerate Suter, has spent between £100,000 and £250,000 of his own money in legal costs pursuing a libel action.

Mr Abell is suing Channel 4 and the makers of a television programme, *The Insiders*. A Department of Trade and Industry inquiry has not yet been completed.

The company announced a 31 per cent fall in pre-tax profits to £24.0 million from £34.8 million for the year to end December. Mr Abell said the company had spent £20 million buying its own shares at an average price of 170p.

Temper, page 23

ASW up 1.5p

ASW Holdings, the steel and wire group, says pressure on margins that was evident in 1990 has continued into 1991. Pre-tax profits last year were £40.3 million (£40.4 million) on a turnover of £454.3 million (£451.1 million). The 8p final dividend makes 12.5p (11p) for the year.

Temper, page 23

Persimmon falls

Pre-tax profits at Persimmon, the York housebuilder, dropped 11 per cent to £28.6 million in the year to end December. The dividend is again increased, with a final payment of 4.85p (4.5p), giving a 10 per cent increase in distribution to 7.15p (6.5p).

Temper, page 23

THE POUND

US dollar 1.8970 (-0.0030)
German mark 2.9132 (-0.0020)
Exchange Index 83.7 (same)

STOCK MARKET

FT 30 Share 1918.1 (-0.1)
FT-SE 100 2882.9 (-4.0)
New York Dow Jones 2931.88 (+21.78)
Tokyo Nikkei Ave 2976.02 (+94.45)
Closing Prices ... Page 27

MAJOR CHANGES

RISER
Lloyds 351 1/2p (+8p)
Baronwood Brewery 128 1/2p (+11p)
Coats Viyella 138p (+15p)
Yorkshire Chem 382 1/2p (+18p)
Harrison Ind 74 1/2p (+10p)
Johnson Cleaners 45 1/2p (+10p)
J Hewitt 150 1/2p (+12p)
Antipress 405p (+17p)
British Vita 260p (+12p)
Christies Int 227 1/2p (+17p)
Franchi Hotels 225p (+10p)
Geest 317 1/2p (+14p)
Globe 386 1/2p (+15p)
Hawker Siddeley 58 1/2p (+15p)
Kelsey Ind 402 1/2p (+10p)
Cannon Street Int 40p (+10p)

FALLS
Grand Met 722p (-10p)
Scott & Newcastle 386 1/2p (-11p)
Cadbury Schweppes 35 1/2p (-10p)
ASW 257 1/2p (-13p)
Closing prices

INTEREST RATES

London Bank Base: 13%
3-month Interbank 12 1/2% - 12 3/4%
3-month eligible bills 11 1/2% - 11 3/4%
US: Prime Rate 8%
Federal Funds 6 1/4%
3-month Treasury Bills 6.07 - 6.08%
30-year bonds 9 1/2% - 9 3/4%

CURRENCIES

London: New York
£: \$1.8970
£: DM1.9322
£: Sfr1.3394
£: FF6.25373
£: ¥135.50
£: Index: 83.7
ECU £0.702937 SDP £0.742796
£: ECU1.422602 £: SDP1.342654

GOLD

London Fixing: AM \$355.50 PM \$355.45
COMEX \$355.50 - \$355.00 (£182.50 - 183.00)
New York: COMEX \$357.45 - \$357.35

NORTH SEA OIL

Brent (Apr) ... \$18.50 net (\$18.50)
 * Denotes latest trading price

Coats returns with half-price bid for Tootal

By MICHAEL TATE, CITY EDITOR

COATS Viyella has made its long-awaited bid for Tootal, the rival threads group. The offer, which values Tootal at £193.7 million, almost exactly half the price agreed between them two years ago, has been rejected by Tootal as "unwelcome and unrealistic."

Terms of the bid are 65p in cash for each Tootal share, which compares with the 133p accepted by the Tootal board before the Monopolies & Mergers Commission intervened in May 1989. However, Sir David Alliance, the chairman of Coats Viyella, claimed that the current offer values Tootal shares more highly than the

previous terms, given the fall in Tootal's earnings per share in the past two years.

Sir David said the offer represented "not only a generous multiple of historic earnings, but also reflects Tootal's prospects and the potential merger benefits."

Coats Viyella, one of the world's largest textile groups, with interests in manufacturing, processing and distributing sewing thread, for industrial and domestic use, already owns 29.4 per cent of Tootal, acquired from Abe Goldberg, an Australian entrepreneur, in 1989. The stake was purchased after Coats agreed merger terms with Tootal, but a Monopolies Commission reference delayed the deal, and the two parties subsequently failed to agree on revised terms.

The bid comes at a desperate time for the textile industry, as results from Coats for the year to December, published yesterday, demonstrate. Sir David reported a drop in pre-tax profits from £137.4 million to £105.6 million, and announced a cut in the final dividend, from 6p to 4p, making 7p for the year against 9p last time.

Sir David said that profits and margins reflected the difficult market conditions throughout the year in Britain

and particular economic problems in Brazil, which alone accounted for half the fall in profit. A further £5 million of profit evaporated in unfavourable exchange rates.

A higher tax charge, due to the greater proportion of profits arising overseas, and a higher minority interest allocation, left earnings per share disproportionately lower, at 9.6p against 15.1p.

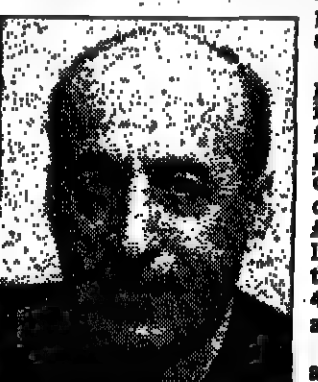
However, there was net cash inflow of £28.6 million, helping the group wipe £53.2 million off borrowings, to reduced gearing from 15 to 10 per cent at the year-end. Coats believes a pro forma balance sheet of a combined Coats and Tootal would indicate a gearing level of about 34 per cent.

Sir David said yesterday a merged group would rank as the leading worldwide industrial thread supplier, offering opportunities for economies through cost reductions and better sourcing.

Tootal chief executive Anthony Haggood, said however, Tootal had a strong future as an independent group.

Tootal shares responded with a 6p rise to 71p, in the expectation Coats may have to raise its offer to win, while Coats Viyella shares jumped 15p to 138p.

Comment, page 23



Sir David's 'generous terms'



Offering more: Geoffrey Maitland Smith, chairman of Sears (left), and chief executive Michael Pickard yesterday

Sears bids £150m for Grattan

By GILLIAN BOWDITCH

SEARS, the retail group which owns Selfridges, Saks and Wallis, is bidding £150 million for Grattan, the mail order arm of Next. Sears' bid is £10 million more than the offer from Otto-Versand, the German mail order group, which Next has recommended.

Sears, which has been in talks with Next over the sale of Grattan for some time, officially made its offer last Thursday with a request for outstanding details of the agreement with Otto. Geoffrey Maitland Smith, Sears' chairman, says he has not had Next's reply.

David Jones, chief executive of Next, and a team of bankers from Leazards,

Next's advisers on the deal, were in Hamburg in talks with Otto yesterday. Otto said it was not prepared to comment at this stage on whether it would match Sears' offer. Sears said it was prepared to enter into a contract with Next on the same terms and conditions as those in the agreement with Otto. In addition Sears would pay £10 million more for Otto and would also pay interest at LIBOR from February 1, 1991, until completion of the deal.

Were Sears to be successful in its offer, it would merge Grattan with Freemans, its mail order business, which would give it about 27 per cent of the British mail order market and rank it second equal with Littlewoods by size. Great Univer-

sal Stores, which owns Kays, is Britain's biggest mail order group with about 36 per cent of the market. There is a possibility that the Sears offer could lead to an investigation by the monopolies and mergers commission were it to succeed. Otto's acquisition of Grattan is subject to clearance by the European Commission.

Next's shareholders will decide whether to approve the Otto offer at an extraordinary general meeting to be held on Wednesday March 13.

Shares in Next rose 1p to 31 1/2p, valuing the group at £112 million, and Sears shares were unchanged at 91p.

Comment, page 23

Morrison only British firm to win Kuwaiti contract

By ROSE TUDMAN, INDUSTRIAL CORRESPONDENT

MORRISON Construction Group, a privately owned Scottish company, was the only British group to win work in the first round of contracts to restore services and repair buildings in Kuwait.

awarded four contracts. One Saudi and one Kuwaiti contractor are also believed to have won orders.

The relatively small share of work awarded to British companies raised the prospect of a disagreement over work-sharing between member nations of the coalition that helped to liberate the Gulf

state. Wimpey, one of nine British companies that failed to win work under a £46.3 million 90-day programme supervised by the US Army Corps of Engineers, said it was "extremely disappointed".

Costain Group was also disappointed. Both said they would continue to pursue larger contracts in the main reconstruction programme.

Saudi Nasir al-Sabah, Kuwaiti ambassador to America, reiterated Kuwait's commitment to awarding contracts for reconstruction to American, British and French companies. He said: "Our policy is not to forget our friends who stood with us in time of need."

The contract won by Morrison is believed to worth almost £2 million. The company, based in Edinburgh, will undertake emergency repairs to water and sewage mains at a fixed daily rate.

Fraser Morrison, who bought control back from Charter Consolidated 18 months ago, was "delighted". He said 20 specialists would leave for the Middle East at this week. A labour force of 80 had been selected in Saudi Arabia, and equipment had already been arranged there.

The trade department has established a six-man team of representatives from British companies in Dammam, Saudi Arabia, where Kuwaiti officials overseeing reconstruction are based. Kuwaiti ministers and officials have repeatedly stressed that Britain's role in the liberation of their country will not be forgotten during the reconstruction programme, which has been forecast to cost more than \$50 billion over the next decade.

● Kuwait may need five years to rebuild its oil industry, Ali al-Qabandi, an executive of the Kuwait Oil Company said yesterday.

Gulf contributions lift UK reserves

By ANATOLE KALETSKY, ECONOMICS EDITOR

BRITAIN'S foreign exchange reserves increased sharply last month because of contributions to the Gulf war effort from European and Middle Eastern allies. The fact that the allied contributions were added to the reserves, instead of being converted into sterling, appeared to reflect the Treasury's confidence that there was ample market support for the pound.

The Bank of England said that Britain's underlying reserves rose \$431 million in February, of which \$416 million was due to military payments made by Germany, Denmark and the United Arab Emirates. The gross reserves were \$3.4 billion up at \$41.79 billion. The large increase in gross reserves reflected receipts equivalent to \$3 billion from the government's first bond issue dominated in cash, as well as the Gulf War contributions.

City forecasts for the underlying reserve increase had averaged \$50 million, but these estimates varied because of uncertainty about the timing of foreign contributions to the Gulf war. Germany will be making another this month to

bring its total to £275 million, and large payments from Kuwait are also expected.

War contributions promised to Britain come to \$2.8 billion, or £1.5 billion. This does not include possible funds from Japan. Britain's war costs have been estimated by the government as between £2 billion and £3 billion, but some may not be incurred if some of the aircraft in the war are not replaced. The cost could, therefore, be only slightly above the £1.5 billion contributed from abroad.

□ The dollar rose further against all major currencies as dealers looked forward to an early recovery in the American economy. The pound traded quietly in the European exchange-rate mechanism, finishing nearly a quarter of a penny down at DM2.9132. Against the dollar, it finished a quarter of a cent down at \$1.8970.

□ American crude oil prices surged above \$20 a barrel, boosted by concerns over unusually low petrol stocks. The concerns were heightened by an explosion at Cingo Petroleum's refinery in Louisiana on Sunday.

Forestry group felled by changes

By MATTHEW BOND

THREE years ago in his 1988 Budget the then Chancellor Nigel Lawson delighted conservationists by scrapping the system of tax relief that had for so long supported private forestry in this country.

Rural protection groups were jubilant that the likes of Terry Wogan and Steve Davis could no longer efficiently convert their gross incomes into row upon row of conifers in the Scottish Highlands.

But three years on, there is a growing feeling that Mr Lawson might have overreacted. For private forestry has been decimated by his Budget axe.

Figures for the 1989-90 financial year from the Forestry Commission confirm the damage. During the year the level of

private planting fell by half, despite a big rise in direct grant aid. A mere 12,700 hectares were planted, compared with a government target of 33,000 hectares.

Yesterday these figures claimed their first corporate casualty with the news that EFG, the stock market company better known as Economic Forestry Group, had sold its forestry management business to Booker. For 30 years private forestry had been EFG's core business. Now it will concentrate on the garden centre and leisure products industry.

For £2.75 million Booker gets EFG's management contracts over 97,000 hectares of plantations, plus a 73-hectare forest tree nursery in Aberdeen. The combined group, which will be known as Tiffhill Economic Forestry, should have a turnover of about £20 million.

There was a sense of sadness at the group's Oxfordshire headquarters after confirmation of the disposal. John Roberts, company secretary, said: "Having been in forestry all my working life, it is a rather strange feeling."

Mr Roberts said that after the 1988 Budget a reorganisation of the private forestry industry was inevitable. "Something had to go, sadly it was us."

But at Booker there was far more optimism. It feels that forestry will shortly enjoy a renaissance, particularly as the role of trees in the carbon cycle is more widely appreciated. Edward Robinson, chief executive of Booker UK Agribusiness, said: "Ever since the 1988 Budget there has been a lack of investment in forestry. But we don't believe this will carry on."

BT cuts another 6,500 jobs

By OUR INDUSTRIAL STAFF

BRITISH Telecom is to axe 6,500 operators' jobs in addition to the sweeping staff cuts already in the pipeline.

A BT spokesman said the staff cuts in operator services, such as directory enquiries, will take place over the next two years and be concentrated largely in the Southeast.

Though numbers will be reduced mainly through natural wastage, there will be some voluntary redundancies or early retirement.

Signs of an acceleration in

the job cutting programme emerged in conjunction with the company's quarterly results last month, which showed that recession was slowing growth.

pre-tax profits were 13 per cent higher at £737 million, favourably surprising the City, but BT made clear that it would be looking to make real savings rather than reduce capital spending.

The additional cuts disclosed yesterday come on top of job reductions expected to

total 10,000 this year, primarily in administrative, engineering and technical grades.

The BT spokesman noted that the company was still building up its staff in the Northeast, the West Country, Scotland and Northern Ireland, where it says it is easier to recruit, train and retain staff.

BT's recently completed Operation Sovereign scrapped an entire tier of management and 5,000 senior positions.

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France and Germany set for ecu row

From GEORGE BROCK
in BRUSSELS

THE key players of the troubled Franco-German partnership on European monetary union meet in Paris tomorrow in an atmosphere soured by accusations of bad faith and French worries that Germany is backing away from any commitment to a single currency this century.

Germany produced last week its long-awaited draft text for the treaty on monetary union and erected some high hurdles to replacing national currencies with one money.

Ross was instantly accused of reneging on pledges given at the Rome summit last October. Germany denied the charge, but in language calculated to cause further worry in Paris and the European Commission.

Jacques Delors, president of the European Commission, thinks that 11 of the community's 12 governments have already agreed the broad outlines of a plan which will avoid mistakes. He now finds questions thought to be closed by previous communications reopened anew with each new draft treaty.

Woolwich moves into France as profits rise

By NEIL BENNETT, BANKING CORRESPONDENT

THE Woolwich Building Society is expanding into France with the acquisition of Banque Immobilière de Crédit, Midland Bank's mortgage subsidiary.

The building society announced the acquisition with its results for the 15 months to end-December. Pre-tax profits were £237 million, up from £187 million, despite a 230 per cent rise in bad debt provisions to £32 million.

Shares in Midland SA, the 72 per cent owned subsidiary, were suspended on the Paris bourse on Friday in anticipation of the announcement. The deal is being done at close to Crédit Immobilier's net assets, which have not been disclosed.

The building society is buying

ing Banque Immobilière's fixed assets, which include its head office in Nanterre and 19 branches throughout France. The bank lends an estimated £2 billion a year in fixed rate domestic mortgages.

Woolwich is also signing a management contract to administer the existing £11 billion mortgage book for Midland. The society's capital adequacy requirements prevented it from taking on the loan book. The operation will be renamed Banque Woolwich.

Midland had been looking for a buyer for the business since last summer. The acquisition is a further stage in Woolwich's expansion plans. The society opened an office offering mortgages in Milan in October, while it brought 200 estate agencies from the Prudential last month.

Donald Kirkham, the chief executive, denied the acquisition showed any change in the Woolwich's business. "We have just decided to open in Paris and Nice instead of Huddersfield," he said.

The society's profits in the 15 months to end-December fell 7 per cent on an annualised basis because of bad debt provisions, and the Woolwich's policy of undercutting the mortgage rates of its rivals.

Mr Kirkham said the society's mortgage rates had been 0.15 to 0.25 per cent cheaper than others for most of the year, costing £24 million. The low rates led to a surge in net lending, which rose 152 per cent to £2.77 billion.

The Woolwich repurchased 2,400 houses during the year, double the amount in 1989. At the end of the year, the society owned 2,000 houses.

The Woolwich suffered heavy bad debts in its unsecured lending: £13.9 million of its provisions were made against its personal loan book of less than £125 million.

Greggs beats weather to £7m

By GILLIAN BOWDITCH

GREGGS, the Newcastle bakery group, was affected by both blizzards and heatwaves last year. The heatwave led to a 30 per cent decline in cream cake sales and the blizzards led to transport problems.

The company, which normally sells about 50,000 cream cakes a day from its 447 shops, made pre-tax profits of £7.02 million, up from £6.89 million in the year to end-December. Sales rose from £76.7 million to £87 million, but on a like-for-like basis, were down about 1.5 per cent for the year.

The extra turnover came from the 42 shops opened in the year. Earnings per share rose from 39.8p to 41.2p and the final dividend is 9p, making a total for the year of 13.5p, an increase of 12.5 per cent on last time.

Mike Darrington, the group's managing director, said both the weather and the poll tax had affected business. "What we like is a day with no wind or rain, not too hot but with blue skies. People feel good but they also feel hungry," he said.

He added there had been a noticeable effect from the poll tax in Scotland, where the tax was introduced early, suffering first and recovering first. Some of our shops situated near council house estates were among the worst affected but we think overall we have managed a good performance," he said.

Greggs, which has opened its first shops in central London, has plans for 30 new shops this year. Ten will be closed. Capital expenditure will exceed £8 million as the group invests in bakery equipment and meets the requirements of the Food Hygiene Regulations. Capital expenditure will be met from cash flow and Mr Darrington says there are no plans for a rights issue.

Ian Gregg, the group's chairman said: "In the second half of 1991 we expect to see profits move ahead more strongly and produce a reasonable increase for the year as a whole". Shares in the group rose 2p to 246p.

BUSINESS ROUNDUP

Erostin shares halted pending liquidator

EROSTIN Group, the builder and property developer, suspended dealings in its shares at 40p, at which price the company is valued at almost £9 million, pending the appointment of a liquidator.

The company plans an extraordinary shareholders' meeting to wind the company up, on the grounds that it cannot pay its debts, and a creditors' meeting to appoint a liquidator. The board said the assets should exceed liabilities, making it possible for creditors to be paid in full, leaving a surplus for distribution to shareholders, although this is unlikely to happen within 12 months. The appointment of an administrator had been considered but was supported by neither the creditors nor its bankers. An attempt to reschedule the bank debts had failed, the directors said.

Simon sells subsidiary

SIMON Engineering said it has sold Gear Products, its American subsidiary, to Blount for \$18 million. The engineering, environmental and industrial services group said \$14.6 million will be paid on completion of the deal and \$3.5 million over four years. Gear had 1989 sales of \$21 million and pre-tax profit of \$1.7 million.

Williams to control Yale

WILLIAMS Holdings has been successful in its five-for-four takeover bid for Yale and Valor. The level of acceptance reached 68.8 per cent by Friday's 3pm closing deadline, and later rose to 75.2 per cent. The necessary resolutions were passed by Williams shareholders yesterday and the offer was declared unconditional.

Ransomes profits cut

RANSOMES, the grass-cutting machinery manufacturer, saw pre-tax profits fall from £14.4 million to £9.04 million in the year to end-December on a collapse in property profits, fall in consumer spending and surge in interest costs.

Turnover, boosted by acquisitions, advanced from £126.6 million to £165.2 million. Interest payments surged to £8.84 million (£4.28 million). Earnings per share plunged from 16.9p to 1.6p, and fully diluted earnings to 7p (17p). The final dividend is 4.1p (4.2p), making an unchanged 6.15p.

Lilleshall up to £2.62m

LILLESHALL, the industrial distribution, engineering and building products group, lifted pre-tax profits by 16 per cent to £2.62 million in the year to end-December. Turnover climbed 11 per cent to £34 million. Earnings per share slipped to 11.8p (13.6p). The final dividend is 2.45p (2.4p), making 3.9p (3.65p).

Sumit assets fall sharply

SUMIT, the West Midlands venture capital firm, said pre-tax profits for the year ended December gained 13 per cent to £572,878 on slightly reduced gross revenues of £1.45 million. However, fully diluted assets per share fell from 206p to 141p. A final dividend of 3.8p makes 5.8p (3.2p). Earnings per share fell to 7.3p (7.7p).

Microvitec in the red

MICROVITEC, the USM-quoted computer peripherals manufacturer, has cut its final dividend after incurring a substantial full-year loss. Pre-tax losses were £2.42 million in the year to end-December (£1.28 million profit). The figures were hampered by a £783,000 exceptional charge. James Bailey, the chairman, said margins had improved in the past six months.

Turnover was £23.4 million (£32.1 million). The final dividend is 0.2p (0.75p), making a reduced total of 0.3p (1.5p) for the year. Loss per share is 6.2p (earnings of 3.1p).

Mountleigh calls off Fairchild bid talks

MOUNTLEIGH, the property group, has called off its bid talks with Fairchild, the American aircraft fasteners group. The news that Mountleigh was considering a \$280 million bid for Fairchild came as a surprise when it was announced last month.

Mountleigh had indicated that it was willing to pay Fairchild up to \$14.25 a share, through cash and shares. No further talks between the two companies are planned.

Serco up 20%

SERCO Group, the task management contractor, lifted pre-tax profits by 20 per cent to £4.3 million for the year ended in December. Earnings per share rose 13 per cent to 28.9p. A final 7.5p dividend makes 11p (9.5p).

Offer cleared

Peter Lilley, the trade secretary, has cleared the offer by Thorn EMI for Thames Television.

Venture agreed

Watergate International Holdings, the property developer, has agreed a joint venture to develop an office project near Hamburg airport.

Buy postponed

BHP Holdings (USA), subsidiary of the BHP group of Australia, has extended until next Tuesday its planned purchase of Hamilton Oil.

Parkin sold

Richardson Westgarth, the steel stockholder, has agreed to buy the business of F Parkin & Sons, of Exeter, for about £1 million cash.

Hammerson

In *The Times* of March 4 we stated incorrectly that Boots had renegotiated a sharp reduction of its rental at Brent Cross Shopping Centre. The figures quoted relate to an entirely separate location. Hammerson Group has pointed out that there have been no refinings on the scale mentioned at any property owned by Hammerson.

Reece falls

Pre-tax profits at Reece, the industrial and consumer products company, fell to £415,000 for the 15 months to December (£901,000). Earnings per share fell to 0.63p (1.46p). There is no final dividend.

Geevor calls egm over loan

By COLIN CAMPBELL, MINING CORRESPONDENT

GEEVOR, the British mining company whose shares were temporarily suspended last month when the Canadian Imperial Bank of Commerce recalled a loan, has called an extraordinary general meeting for March 25 to approve plans to rebuild its capital base.

Mark Wellesley-Wood, Geevor's chairman, says in the egm circular Geevor has been advised CIBC's action was "unlawful and without foundation", and proceedings for damages have started.

City institutions, including Smith New Court, have meanwhile, agreed to back a £750,000 secured loan note issue by which will be approved on March 25. About \$650,000 of the fresh capital,

will be used to allow Geevor to continue trading at a reduced level of activity. The £100,000 balance is reserved for payment of legal actions against CIBC.

Geevor says CIBC's withdrawal of financial support in February led to the delay of its intended and agreed purchase of Pinnacle Creek mine, West Virginia, and had disadvantaged shareholders.

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GUARDIANS OF THE WATER ENVIRONMENT

PROPOSED SCHEME OF CHARGES IN RESPECT OF DISCHARGES TO CONTROLLED WATERS

Notice is hereby given that the National Rivers Authority proposes to make a scheme pursuant to its powers under Paragraph 9 of Schedule 12 to the Water Act 1989 requiring the payment:-

- (i) of charges where an application is made for a consent to discharge into controlled waters for the purpose of the 1989 Act or such a consent is imposed by the Authority. Such charges will be payable by the person applying for a consent or, where the consent is imposed, by the person authorised to do anything by virtue of the consent and
- (ii) of an annual charge where a discharge is made to controlled waters pursuant to such a consent by any person making a discharge. The annual charge will be calculated for each discharger by reference to the conditions in the discharge consent, the nature of the receiving water and the Authority's unit cost.

The proposed scheme will revoke the charges scheme made on 28 September 1990.

Representations or objections to the proposals may be made to the Secretary of State for the Environment at:

Department of the Environment,
Room A401 Romney House,
43 Marsham Street,
London SW1P 3PY
before 30 April 1991

A copy of the proposed scheme may be obtained free of charge by writing to:

P.O. Box No. 1461,
National Rivers Authority,
550 Streetsbrook Road,
Solihull,
West Midlands B91 1QT

or inspected free of charge at any NRA Regional Office.

Coats close to winning Tootal

A dividend cut and fall in earnings might seem to constitute a shaky platform from which to launch a takeover bid, but these are hardly normal times. Apart from the Austrian attempt to wrest control of Century Oils, Coats Vyella's lunge for Tootal represents the only hostile bid seen in the City for months, and it should not be surprising that many bull market standards have gone by the board.

In his unaccustomed role as an aggressive bidder, Sir David Alliance believes he has the advantage in that the plight of his quarry is considerably graver than his own. Analysts generally agree, and none doubt that Tootal will need to raise its reserves if it is to hold its own dividend when it publishes annual results at the end of next month.

The industrial logic of merging the interests of these two once great textiles empires was argued through and accepted by everyone, not least the entire Tootal board, including the now chief executive Anthony Habgood, in the spring of 1989. Indeed, the

Monopolies Commission thought it made rather too much sense for the public good and asked Coats to discard some of its activities.

Once divested, Coats looked at the deal again and decided Tootal was no longer worth what it once thought. The lower valuation was rejected and the two sides parted.

Since Sir David walked away with 29.4 per cent of the Tootal equity in his pocket, however, the only question was when he would return. Enmeshed in internal turmoil that has seen the departure of Geoffrey Maddrell, the chief executive and Alan Webb, the finance director, since early January, and with the books closed on a year that Sir David knows better than anyone was horrendous for the textile industry, Tootal was never going to offer a better opportunity.

Few outside Tootal disagree that the two companies still look a snug fit, even though Coats concedes that the benefits lessen

with time. Industry sources point to significant potential savings, in eliminating duplication, more cost-effective penetration of developing markets and improved sourcing.

For all the promises of safeguards for employees, of course, this is ominous for the workforces of both groups, although Sir David would claim a good relationship with his trade unions, who were believed to have accepted the original merger plan, with its implications for their jobs.

Mr Habgood claims to have made enough changes in policy since his January appointment to render a merger unnecessary. He will have much convincing to do. Coats needs only 20 per cent of the equity to establish control, and Tootal investors may well judge that without the bid

premium their shares may not be worth much more than 50p in the market.

Some disagreement has emerged over how much of an attempt the Coats team made to achieve an agreed deal. Unless Mr Habgood can unearth some value hitherto unperceived, he is likely to be advised by his more powerful shareholders that at best there are only a few pennies between them and Coats. Another 5p could tie up Tootal, Sir David.

Next move

Sears' £130 million bid for Grattan, the mail order arm of Next, came as no surprise yesterday nor did the news that David Jones, Next's chief executive, and a team of bankers

from Lazards, were in Hamburg, presumably attempting to squeeze a little more out of Otto Versand, the German mail order group, which has offered £140 million for Grattan.

Next, whose long term future was causing the City some worries as recently as Christmas and which a week ago revealed likely losses of £222 million for the year just ended, is now in the happy position of sitting back and watching Sears and Otto slug it out.

Were Otto to match or exceed Sears' offer, Next would almost certainly maintain its backing for the German group's bid. It may do so even if Otto does not increase its offer. Next has been sitting on the Sears bid since last Thursday and has yet to reply.

Were Sears to succeed in buying Grattan and merging it with its existing mail order business, Freemans, there would be some rationalisation and some redundancies would be inevit-

able. It is difficult to see how Sears is going to win the auction it has just created. The best chance it had to win Grattan was to bid for the entire Next group, which would have appealed directly to the beleaguered Next shareholders and would have taken the wind out of Otto's sails. But that would have been an enormous risk.

The argument that Otto's bid is subject to clearance by the European Commission whereas Sears' is not may prove to be a red herring. Otto may have 25 per cent of the European mail order market but the combination of Grattan and Freemans would give Sears over 26 per cent of the British mail order market and that could be subject to a Monopolies and Mergers Commission inquiry in Britain.

The decision may now rest with the Next shareholders who meet to approve the Otto offer on Wednesday 13 March. If Sears fails to appeal to them, it will at least have the consolation of knowing it has pushed up the cost of Otto's entry into the British mail order market.

Banks owe a debt to the exclusive AAA club



The eagle is landing: Sir John Quinlan's Barclays Bank is no longer in the 'magnificent seven'

BANKS, and bankers, are habitually dubious but the society to which they would all like to belong, the triple A club, is suffering from a decreasing membership.

The number of world banks that can lay claim to an AAA rating on the security of its long-term debt has dwindled steadily in the past two years because of a stream of downgradings from Moody's and Standard & Poor's, the two main rating agencies.

Moody's lists 31 AAA institutions, but most of these are government controlled, or have their debts guaranteed by a third party. In reality, there are a handful of independent international banks that own the top rating. This month, that handful grew even smaller when S&P, which has even more stringent debt-rating criteria than its rival, downgraded the Industrial Bank of Japan and Barclays Bank, chaired by Sir John Quinlan, to AA+. Under S&P's criteria, the magnificent seven have become the famous five: Credit Suisse, Deutsche Bank, Morgan Guaranty Trust Company, Swiss Bank Corporation and the Union Bank of Switzerland.

S&P defines the AAA category as "showing the highest degree of safety, with overwhelming repayment capacity". Moody's says AAA bonds can be referred to as "pit-edged", and that interest payments are protected by an exceptionally stable margin. AA debt offers only a high degree of safety with a smaller protection margin.

The rating agencies' analysts base a bank's rating on its capital adequacy, asset quality and its diversity of risks in assets and earnings. After collating a series of key rates and examining the bank's prospects, the analysts award an overall rating.

When judging capital, the agencies ignore many of the modern hybrid capital instruments that are included in the Bank for International

Settlements' capital ratios, such as perpetual and subordinated debt. Instead, they concentrate on pure equity and retained earnings. This excludes from the top ratings most of Japan's largest banks, which have weakened their core capital ratios after rapidly expanding their loan books in the past ten years. Similarly, most American banks have too little capital to qualify for an AAA, or even an AA, rating.

The agencies are also conservative about the values

of the banks' equity and property portfolios and ignore most of their revaluation reserves. Barclays' capital, for example, is bolstered by about £800 million from a revaluation reserve, while the Japanese banks' capital has relied for years on the paper profits on their shareholdings.

Ratings are also based on the quality of a bank's lending, and the level of bad debt provisions. A principal reason for S&P downgrading National Westminster and Barclays from their cherished AAA

position was the sharp increase in bad debt provisions on their domestic loan books.

The famous five have retained their rating by a combination of conservative lending and conservation of capital. Rens Lundkvist, an analyst at S&P in New York, said: "The one thing they all have in common is diversity. These banks are strong in almost every business they do retail, wholesale and securities."

Deutsche Bank, she stresses, has expanded into a range of markets, including its £950 million acquisition of Morgan Grenfell, but has returned to shareholders at regular intervals to fund its operations.

An AAA rating also reduces a bank's costs by millions of pounds a year. Figures compiled by Moody's show that an AAA institution can issue debt offering interest of between 0.1 and 0.6 per cent less than an AA bank, because of the greater security it offers.

The difference may not sound much, but for a bank the size of National Westminster or Barclays it could save between £4 million and £30 million a year, and produce knock-on savings on less senior debt. Bankers argue that this benefit is less noticeable than in the past since so many banks have been downgraded.

AAA ratings are also used in marketing to attract new business. Corporate and even retail customers are attracted by the thought that they are investing through a rock solid institution. It is no accident that Swiss bankers privately complain that they are awash with deposits.

Many AAA banks have a useful sideline in underwriting securities, which then gain an AAA rating themselves. Eventually, the AAA society can become self-perpetuating, as the best rated banks win the most profitable business and can fund it more cheaply than their competitors.

NEIL BENNETT
Banking Correspondent

Suter comes out of the shade

ON THE basis that even the trade department cannot keep a simple share dealing enquiry running forever, the investment argument against buying Suter shares may be ending.

The market certainly seems to think so. The shares have outperformed the all-share index by 17 per cent in the last month, and are now priced at something approaching a sector multiple after three years at a discount.

The reasoning is that if the DTI gives the thumbs up, the shares will race ahead with the removal of long standing uncertainty. If the verdict goes the other way Suter is more likely to become a bid target.

Either way, the shares still yield a healthy 9.8 per cent and underpin what are fairly decent figures for 1990.

Overall, pre-tax profits were down 31 per cent to £24 million with most of the damage being done by a £7.3 million fall in investment income. However, the core on-going distribution and industrial trading activities increased profits by about 5 per cent to £27.1 million.

Year-end debt of £40 mil-

lion means gearing is up to about 80 per cent but the interest bill is still covered 6.5 times. Analysts expect about £24 million for the current year, putting Suter on a forward multiple of just over eight. Double recovery prospects on fundamentals and market sentiment, justifies holding the shares.

TEMPUS

Persimmon's response to the recession has been to sell more houses, but at a lower price and margin. In the year to December 2,028 homes were sold, 13 per cent more than in 1989, while the average selling price fell 6.4 per cent to £57,300. The operating margin fell from 25.2 per cent to 21.1 per cent. This year, the idea is to do the same again.

A standstill in profits puts the shares on a multiple of about 11. In comparison to some rivals that is cheap. Buy.

ASW Holdings, the steel and wire group, suffered the indignity of profit downgrades after otherwise sound 1990 results. Almost unchanged £40.3 million pre-tax profits after a year in which European prices started to wilt under cost pressures were no mean achievement. But the pressures have carried into 1991, so until the industry clouds break, ASW's outlook will be murky.

There was further headway in Europe, where sales at £135.3 million represent 29.8 per cent of turnover (22.4 per cent previously) and which helped offset a 8.9 per cent sales setback at home.

But ASW's ability to make significant improvements in operating efficiencies could be checked this year, at least until activity picks up. Pre-tax profit estimates have thus been cut from £38 million to £35 million - and lower.

Net cash of £24.4 million suggests ASW should have generated respectable net interest. In the event, only £700,000 trickled in, a return explained by irregular cash-flows and heavy capital spend. A more definitive interest item is indicated for 1991.

At 253p, down 12p, the prospective p/e is high enough.

YOU'D THINK THE LEADING DOMESTIC BOND MARKET MAKER IN GREECE MUST BE GREEK.

There's no doubt about the leading domestic bond market maker in Greece. With monthly volumes last year in excess of \$100m, it is Midland Bank based in Athens.

Over the last ten years, Midland has established itself as one of the leading banks in Greece, with branches in Athens, Piraeus and Thessaloniki. It is one of the principal participants in the local money and foreign exchange markets and is first choice banker to 15% of the largest companies in Greece. It is an integral part of the local financial infrastructure and its staff have years of experience in the domestic market which makes them natural partners of local business.

Yet, as you'd expect, Midland Bank in Greece is also part of Midland Group's merchant banking network, brought together under Midland Montagu, with Samuel Montagu being the focus in the UK. Capitalising on their acknowledged private banking skills Samuel Montagu, working closely with Midland, recently obtained a mandate to evaluate and privateise the largest shipping in Greece.

During 1990, Midland Bank in Athens has participated in five equity market related issues. Moreover, Midland has established stockbroking company - Midland-Pandelakis Securities S.A. - in this emerging and fast growing market.

It's yet another example of the power of our network. So if you're looking for cross border business opportunities, think how we could contribute to your success.



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Man of Kent

ROBIN Leigh-Pemberton, Governor of the Bank of England, has one of the City's least enviable jobs at present. And, if he should try to escape the doom and gloom of Threadneedle Street and spend an evening at the opera listening to his younger brother sing, he is unlikely to find much cheer. For his brother, who performs as Nigel Douglas, is playing the part of Kent - a leading role in the play but only a minor one in the opera - in the English National Opera production of Shakespeare's *Lea* which opened at the Coliseum this week. A critic has already dismissed it as "conspicuously dated" and, of Douglas's performance, said his "shivering Kent disappears prematurely from the action, presumably the victim of arthritis and hypothermia." Douglas makes not even a passing mention of his elder brother in his publicity literature. A tenor of some note, he studied in Vienna and has sung more than 80 different operatic roles, mostly in continental Europe. Thus making a comparatively rare return to these shores, his curriculum vitae does reveal that he was born in... Kent.

Bubbling over

ELIZABETH Sullivan, the Square Mile's most colourful head hunter, will be even more effervescent than usual come March 26, when Elizabeth Sullivan Associates, her

newly-created firm, hosts its first extraordinary general meeting for shareholders. To the envy of other larger companies, which now face cutbacks in hospitality, Sullivan's list of shareholders, comprising mainly 13 or so high-profile directors of blue chip City broking and banking firms, has so impressed Charles Riddler, a representative of Veuve Clicquot, the champagne house, that he has offered to sponsor the event. "It's wonderful news," says a delighted Sullivan, aged 39, who first hit the headlines a decade or two ago when, as a blue button, she became only the second woman to be admitted to the floor of the Stock Exchange.

A PIECE of Fleet Street history has been preserved after the demolition of the Ludgate Hill bridge. A City of London plaque from the bridge commemorating The Daily Courant, London's first daily paper, has been given by Rosehaugh Stanhope Develop-



ments to the London Press Club for safety. The newspaper was launched as a single-sided half sheet by Edward Mallet from his house near Fleet Bridge on 11 March 1702. It was "designed to give all the Material news as soon as every Post arrives: and it is confined to half the Compass, to save the Publick at least half the impertinence of ordinary papers."

Chip shock

LLOYD'S of London brokers turned up in droves last week to celebrate the opening of the Corney & Barrow bar within their building and simultaneously to bid farewell to David Knechtli, the outgoing chairman of Jardine Insurance Brokers International. Knechtli, who has spent 42 years at Lloyd's - 38 of them with Jardine - and is one of the best-known marine brokers in the world, proceeded to cause a minor disturbance within the winebar when he ordered a plate of smoked salmon and chips, his favourite dish. A courier had to rush the chips through the City streets on a hot-plate from another restaurant, presenting them to the hungry Knechtli, who then tucked in with relief. He was nevertheless surprisingly reluctant to discuss the incident when telephoned at his desk the following afternoon. His secretary announced he had just returned from "a heavy lunch" and was in no state to discuss anything. His colleagues at Lloyd's, meanwhile, have been making the most of the new bar and have already

dubbed it "the canteen". On Friday, its first official day of business, they successfully scooped yet more talk of recession by downing over 100 bottles of champagne.

Boefors gunned

JOHN Wakeham will be hoping that the privatisation of PowerGen and National Power is more successful than the Department of Energy's other less well publicised foray into the private sector. Energy Management, the department's last making monthly magazine, was lived off to privately run Boefors Publishing, which already produced the magazine's arch rival, *Energy Today*. But after only one issue Boefors went into liquidation. The department, which has been remarkably reticent about this particular free market enterprise, has now invited Mechanical Engineering Publications, publishers for the Institution of Mechanical Engineers, to take over instead. Invitations to tender for publication of the magazine will apparently be sought later in the year.

Scudding along

THE Patriot business expansion scheme, launched in a valley of Gulf war jokes last weekend, has a little ammunition left. It began life as an off-the-shelf company named - wait for it - Fizz Wizz Properties. And the Coopers & Lybrand partner in Plymouth acting as auditor to the scheme is a certain Francis Drake.

CAROL LEONARD

Setting a tale of two dinners straight

ed up by The Building Societies Association's Director-General, Mark Boleat". Rather it was founded in response to a joint initiative

undertaken by the Association of British Insurers, the Association of Mortgage Lenders, The Building Societies Association and the Finance Houses Association. All four trade associations recognise the advantages of a central organisation dealing with most

cent of residential mortgages outstanding. All 99 members of the PSA are members of the

of not printing and posting dividends, half and full year accounts, would be avoid

The original rules were made under different circumstances to those that prevailed in the event of the sale. A new rule could be included in any future privatisation to cover such an eventuality.

Yours faithfully,
P. G. BREARLEY,
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Lancashire

inviting your diary editor to both dinners, so that she can experience at first hand the work of the BSA and CML.

Yours faithfully,
ADRIAN COLES,
Director of External Relations,
The Building Societies
Association,
3 Savile Row, W1.

Letters to *The Times* Business and Finance section can be

Blackpool, Lancs. sent by fax on 071-782 5112.

A complex collage of business-related graphics. In the upper center, a large, stylized number '3' is formed by overlapping curved lines, with the numbers '2' and '1' nested within its lower loops. To the left, a series of horizontal bars represent data for the years 1960, 1970, 1980, and 1990. Below this, a bar chart shows a series of buildings of increasing height. In the lower center, a document titled 'Product Strategy' is visible, with text that includes 'Product strategy is the key to the success of your company and the future of your industry.' and 'Success the result of a combination of factors, including: vision, vision, and vision.' To the right, a line graph shows a series of peaks and valleys. In the bottom right corner, a document titled 'Product Strategy' is partially visible, with text that includes 'Product strategy is the key to the success of your company and the future of your industry.' and 'Success the result of a combination of factors, including: vision, vision, and vision.'

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● Ex dividend = Ex all = Forecast dividend = Interest payment passed = Price at suspension of Dividend and sold exclude a special dividend = Dividend before =

ECGD: Fixed Rate Sterling Export Finance. Make-up day: Dec 31, 1990. Agreed rates Jan 25, 1991 to Feb 25, 1991. Scheme 1: 14.54%. Schemes H & J: 15.00%. Reference:

23	25	27	29	31	33	35	37	39	41	43	45	47	49	51	53	55	57	59	61	63	65	67	69	71	73	75	77	79	81	83	85	87	89	91	93	95	97	99	101	103	105	107	109	111	113	115	117	119	121	123	125	127	129	131	133	135	137	139	141	143	145	147	149	151	153	155	157	159	161	163	165	167	169	171	173	175	177	179	181	183	185	187	189	191	193	195	197	199	201	203	205	207	209	211	213	215	217	219	221	223	225	227	229	231	233	235	237	239	241	243	245	247	249	251	253	255	257	259	261	263	265	267	269	271	273	275	277	279	281	283	285	287	289	291	293	295	297	299	301	303	305	307	309	311	313	315	317	319	321	323	325	327	329	331	333	335	337	339	341	343	345	347	349	351	353	355	357	359	361	363	365	367	369	371	373	375	377	379	381	383	385	387	389	391	393	395	397	399	401	403	405	407	409	411	413	415	417	419	421	423	425	427	429	431	433	435	437	439	441	443	445	447	449	451	453	455	457	459	461	463	465	467	469	471	473	475	477	479	481	483	485	487	489	491	493	495	497	499	501	503	505	507	509	511	513	515	517	519	521	523	525	527	529	531	533	535	537	539	541	543	545	547	549	551	553	555	557	559	561	563	565	567	569	571	573	575	577	579	581	583	585	587	589	591	593	595	597	599	601	603	605	607	609	611	613	615	617	619	621	623	625	627	629	631	633	635	637	639	641	643	645	647	649	651	653	655	657	659	661	663	665	667	669	671	673	675	677	679	681	683	6
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314.00-315.00	314.00-315.00
1228.0-1229.0	1228.0-1229.0
1229.0-1230.0	1229.0-1230.0
328.00-329.00	328.00-329.00
1216.0-1217.0	1216.0-1217.0

هكذا من العمل

Stalled by high interest rates

Company-car fleets represent more than half of all new car sales. Further interest rate cuts are needed to boost this ailing 'engine' of the British motor industry, Kevin Eason reports

Norman Lamont, the Chancellor of the Exchequer, need look no further than Olympia, London, this week for signs of how hard the government's policy of high interest rates has hit Britain's biggest single manufacturing industry.

The "engine" of the British motor industry, company-car sales, is spluttering and coughing as it bears the strains of recession. The recent interest rates cuts have been welcomed by the industry, but at least another 1 per cent cut is needed quickly for sales to pick up.

Company fleets account for more than half of all new car sales: about 1.2 million cars in the boom year of 1989, when business paid an estimated £10 billion for vehicles.

But many managers who meet at the Fleet Show 91, which opens at Olympia in London today, will know they are being offered a tempting spread of new cars that they cannot afford. Company cheque books will not be opened until Mr Lamont lowers interest rates again and takes some pressure off business finances.

The effect of interest rates has been easily measurable in successive months as new car sales have tumbled by 13 per cent last year and almost 21 per cent in January.

Car factories are on short time as manufacturers face falling sales, from the 1989 total market record of 2.3 million to about 1.6 million this year, the lowest for nine years.

Manufacturers, particularly those that have traditionally had big fleet orders, are being forced into a new round of discounting and improving already costly car specifications to attract buyers.

One fleet manager says he was offered new cars at 30 per cent discount. Such offers, he says, are now not unusual. This year, fleet managers are more eager to make savings than they are to buy new

CAR CHOICE

Chairmen

Jaguar	33% (-4%)
Mercedes	18% (+4%)
Ford	15% (+12%)

Chief executives

Jaguar	40% (-2%)
BMW	15% (+8%)
Ford	5% (-3%)
Mercedes	13% (+1%)

Senior managers

Ford	33% (-2%)
Rover	14% (+1%)
Vauxhall	16% (+2%)
BMW	11% (+2%)

Area sales managers

Ford	37% (+15%)
Vauxhall	24% (+3%)
Rover	17% (+3%)

Sales representatives

Ford	38% (-8%)
Vauxhall	28% (-1%)
Rover	18% (+5%)

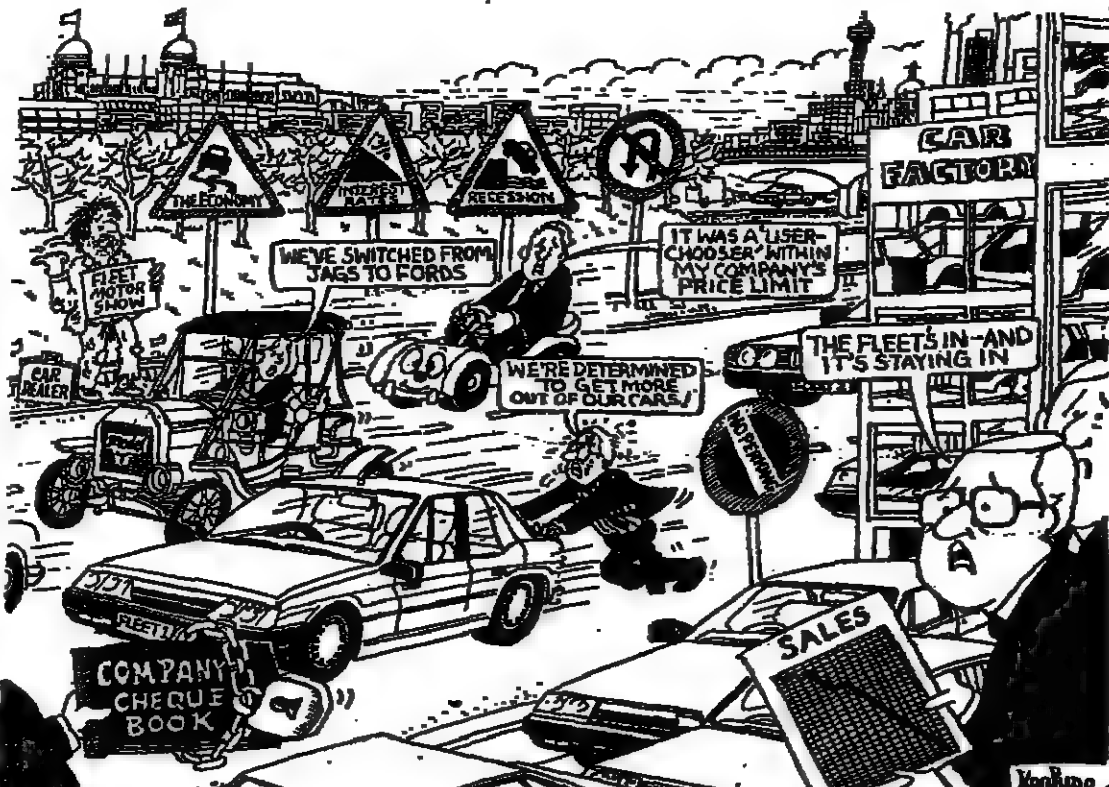
From *Monks' 1991 Guide to Company Car Policy*. Brackets show rise or fall on 1990 figures.

models. The dilemma facing boardrooms is that the company car is often no longer a perk but a necessity, particularly when unreliable rail services mean that executives cannot guarantee a punctual arrival by train.

The *Monks' 1991 Guide to Company Car Policy* found that the size of fleets grew by 7.4 per cent last year despite cutbacks. No wonder, given that 65 per cent of employees cover 10,000 business miles or more annually.

However, the *Monks* guide, one of the most authoritative analyses of company fleets, shows that cost savings are top of the agenda. Two-thirds of 200 companies surveyed were planning to review their financing and restrict choice of cars for employees. And of those making car policy changes, most measures were aimed specifically at cost-cutting.

Companies may have added a car or two, but they are determined to get more miles from fleets. The



survey showed that cars bought for employees at all levels were being changed less often. Many cars were not exchanged until they had covered at least 50,000 miles or been used for three years or longer.

Restricting choice can affect costs. There has been a trend towards "user-chooser" lists, so that an employee can specify any model within a price limitation. That is ending, *Monks* found that 80 per cent of companies now provide eligible staff with model lists, compared with 68 per cent a year ago, which shows that accountants are now looking at monthly fuel, servicing and depreciation bills.

For some manufacturers, the effects have been felt in the showroom, where fleet buyers are as knowledgeable about how much it costs to keep a car running reliably and cheaply as they about how fast it can go.

How important those choices are to manufacturers that rely on fleet

sales has been underlined by the *Monks* survey. It found, for example, a swing away from the managing director's traditional favourite, the Jaguar, and towards Fords.

Jaguar, which suffered a drop of sales of nearly a quarter in Britain last year and sells 90 per cent of its cars to fleets, showed a fall in popularity of 4 per cent among company chairmen and of 2 per cent among chief executives.

Ford, which markets its Granada range towards company directors, showed a gain in popularity of 12 per cent among chairmen.

An analysis of running costs by Lease Plan UK, the fleet specialists, may give a clue to the reasons. Lease Plan calculated, based on a car covering 60,000 miles over two years, that a Jaguar XJ6 4-litre would cost £1,183 a month to run. The Ford Granada 2.9i Ghia X, which offers luxury and performance, would cost £853. The Granada may not have the kudos of a Jaguar among fellow chairmen but

the savings may please cost-conscious shareholders.

How much Jaguar has been affected by this setback is reflected in announcements that 1,000 jobs are being cut from the Coventry workforce and that assembly lines are on short time.

Reductions are also on the way at Ford, Rover and Peugeot Talbot in the biggest round of cutbacks in the industry since the early Eighties. That guarantees that the debate at the exhibition stands and in the bars of Olympia will not be camshaft, air conditioning or turbo-chargers but simply the question: when will interest rates be cut?

Only Mr Lamont knows the answer, but if he needs any guidance, hundreds of fleet managers and car dealers are ready to encourage him to release the chains from company finances to boost the flagging fleet industry.

● *Fleet Show 91, Olympia, London, today, and Wednesday 10am to 6pm, Thursday 10am to 4pm, entry free.*

Fringe benefit that helps perk up pay

Almost 60 per cent of all new car registrations are from companies

THE company car has become so familiar that it is easy to forget how recent a phenomenon it is. Less than 20 years ago, big companies still supplied chauffeur-driven limousines to directors and, if their operations required it, would maintain a small fleet of vehicles for the use of sales representatives who spent much of their time on the road.

But the rest of us bought our own cars. If we sometimes used them on behalf of our employers we could claim the cost of petrol and other travelling expenses. The idea that a car might come with the job as a "perk" would have astonished us.

What brought about the change was the period of compulsory pay restraint under the Labour governments of the Seventies. Employers, unable to retain valued staff by offering them large salary increases, came up with the solution: make top employees an offer they could not refuse, a brand new car for free. In no time it seemed that almost every job advertised included a car among the fringe benefits. But the Inland Revenue did not care for the idea.

Since then chancellors have tried to plug the loophole. At present the use of a company car is deemed to add £2,200 to a person's taxable income; the tax liability is reduced if you can show him that you travel more than 18,000 miles a year on company business, and correspondingly increased if business travel amounts to fewer than 2,500 miles.

There is also something called a fuel assessment, under which you are liable for tax on the proportion of the petrol assumed to have been purchased for private travel. Even with these changes, the Automobile Association calculates that, in return for the use of a car with all repairs and other expenses paid, a motorist pays, on average, only an extra £700 tax.

There are, the AA calculates, at present about 1.9

million company-owned cars in use by employees and a further 2.1 million owned and used by self-employed people for business purposes.

There could come a point where, because of the government's taxation policies, the company car is no longer seen as a benefit, it says. Also, because company cars tend to be newer models, there are environmental advantages in not taxing them too highly.

The AA's views are in line with the findings of the latest survey by *Lex Vehicle Leasing*. Following the 25 per cent increase in company car tax in the last Budget, 11 per cent of those questioned said they were less interested in having a company car and 10 per cent had asked for a pay increase to cover the extra cost.

The survey indicates that between 55 and 60 per cent of all new car registrations are financed by a company, or bought as a business expense.

Two out of five of those questioned said they would acquire a salary increase of between £2,500 and £5,000 if they did not have a company car, and the average increase in lieu of a company car was shown to be £4,300. Thirty-six per cent said they would buy and use a similar car, 29 per cent would buy a cheaper one and 8 per cent would buy a better one. Five per cent would walk more, the same proportion would use public transport, while 3 per cent would switch to a bicycle or motorcycle.

The most important advantage of having a company car was that it cost them little or nothing to run. Twenty-five per cent mentioned regular free servicing, 22 per cent free insurance and 12 per cent the fact that problems were sorted out by someone else. Thirteen per cent attached most importance to being given a new car, and 11 per cent to the fact that it was replaced regularly.

Nine per cent mentioned that it left their own car free for the use of their families. Only 5 per cent saw it as a status symbol.

JOHN YOUNG

There are about 1.9 million company-owned cars in use

Chancellor taxes patience

The industry is looking for concessions in the Budget. Jonathan Prynn reports

In two weeks, Britain's vehicle leasing industry will know whether its traditional annual pleading to 11 Downing Street has again fallen on deaf ears. The historical omens are not good. The government has repeatedly ignored the misuses of the trade associations representing the industry.

The issue at stake is the tax

treatment of lease financing of "luxury" cars, a category still defined by the £8,000 price limit set in 1979. The problem is that car lease rental payments are only fully deductible if the vehicle costs less

than £8,000. Above that level the proportion of the rentals that can be set against tax steadily diminishes, so that, for example, only 70 per cent of the rental on a £20,000 car is allowable.

In a recent joint letter to Norman Lamont, the Chancellor of the Exchequer, the three trade associations representing the vehicle leasing and contract hire industry argued that this "continuing tax discrimination" distorts competition in motor finance and should be removed to help the "ailing UK car industry". As the average cost of a new car used for business is now more than £8,000, the tax limit has had a substantial and annually increasing impact on car fleet financing options.

Even so, the leasing option has grown steadily in popularity as a method of financing company fleets. About half of all company cars are thought to be financed through a leasing arrangement.

In 1989, the value of new car leasing business written by the members of the Equipment Leasing Association grew to a record £2 billion, a 15 per cent increase on 1988. A further £2.1 billion of car business with an option to purchase was written in 1989, making cars the single largest category of asset financed by the leasing industry.

The attractions of leasing are clear. Financing a car fleet through a straightforward purchase is a big capital commitment on what are non-profit-making assets.

The regular nature of the payments under a leasing agreement allows for more accurate budgeting and, because the ownership of the cars remains with the lessor, the risks associated with depreciation on ageing cars are removed. In a competitive market, the discounts derived from the purchasing power of a large car-fleet leasing company should also be passed on to the lessee.

There are other advantages from leasing over an outright purchase financed with debt. Because, in a leasing agreement, the lessor retains ownership of the asset (in this case, cars), it has a better security over those assets than a lender such as a bank. The lessor is therefore able to offer more competitive financing rates.

Companies that decide to lease have usually chosen straightforward finance lease agreements. This spreads the cost of the vehicle over its expected working life, and the lessee participates in a substantial proportion of the sale proceeds at the end of the

agreement. However, finance leases do not include any maintenance or administration contracts.

Until 1987 a further advantage of finance leases was that they could be financed off balance sheet. With the introduction of Statement of Standard Accounting Practice (SSAP) 21, this advantage was removed, leading to the rise of the now fastest-growing car fleet financing sector, contract hire. The primary advantage of contract hire, and its more recent incarnation, contract purchase, is that it provides a full maintenance package combined with the accounting benefits of an operating lease, which can still be treated off balance sheet.

The contract purchase scheme combines the tax advantages of outright purchase with the accounting, administration and budgeting benefits of contract hire.

Under contract purchase, the cost of the contract is split into two components: one for the finance facility and one for the maintenance and other services. Because this is a purchase agreement rather than a lease agreement, ownership transfers to the customer, allowing it to reap the tax benefits of purchase on the finance element of the contract. *Lex Vehicle Leasing* estimates that, on average, every breakdown of a fleet car takes up to five hours of a fleet manager's time.

Time savings are particularly valuable for small companies. John Bradley, the managing director of Union Discount Finance & Leasing, says: "A small fleet of a dozen vehicles does not merit dedicated staff to administer the fleet, yet someone has to negotiate purchase discounts, make the maintenance payments and take care of disposal."

The growth of the contract hire market has been so rapid that a number of smaller companies have sprung up, offering rates that substantially undercut the established opposition. However, many are now suffering from the downturn.

The terms of the agreements usually include options allowing the purchaser to sell the cars back to the contract hire company at a guaranteed price at the end of the contract. Exercising the option has the effect of transferring the residual risk back to the contract hire company, fulfilling the requirements of SSAP 21 and allowing off balance sheet treatment of the contract.

However, companies may be caught out, as Ian Smith, of Hambros Bank, explains. "Problems arise where the client claims the capital allowance but has no intention of owning the vehicle. It then becomes a tax ownership."



Discriminating motorist: will Mr Lamont ease taxes?



This tax injustice distorts competition in motor finance

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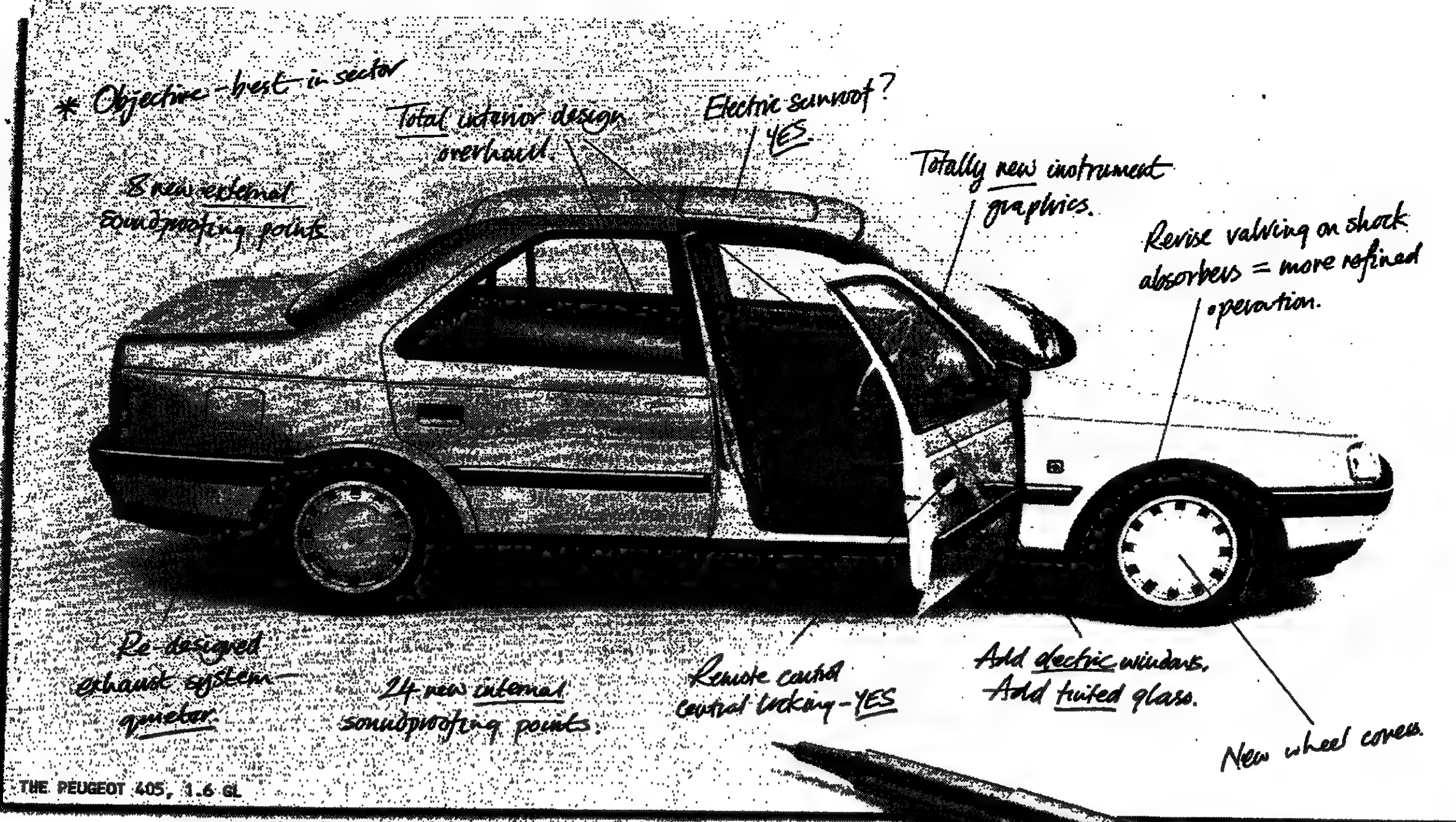
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THE PEUGEOT 405, 1.6 GL

Like all enthusiasts, Peugeot's design chief likes to spend his weekends tinkering with his car.

The Peugeot in the picture is now one of the best specified cars in its class.

This may come as a pleasant surprise if you're considering buying one, but it comes as no surprise at all when you get to know Peugeot's Design Department.

As well as being car experts, they're driving enthusiasts. They don't design Euroboxes that simply get you from A to B, they wouldn't know how.

Their brief is to design drivers' cars. Cars with character, and a quality of handling and all-round driveability you'd normally associate with exclusive sports marques.

They're just as uncompromising when it comes to the spec. they demand for their cars. 'As good as' isn't good enough.

Our designers monitor all the latest advances in materials and technology, then subject them to rigorous tests before coming up with ideas for their application.

Ideas aren't restricted to office hours, so it's a seven-day-a-week job.

A nine-to-five attitude to car design wouldn't produce a Peugeot.

This commitment has resulted in a 1991 405 GL 1.6 with not only electric front windows, electric sunroof and remote control central locking, but also a driver's seat lumbar support adjustment, tinted glass and new wheel covers.

The car's interior design has been totally overhauled, with new colour schemes, a new steering wheel and instrument graphics, as well as a modified fascia.

But the designers didn't stop there. They've been under the car, and have come up with a quieter exhaust system, and new valves on the shock absorbers to give a more refined operation.

To reduce noise transference to the passenger compartment they have also treated 8 areas around the car with the most up-to-date sound-proofing materials, producing remarkable results. Though not remarkable enough for a Peugeot

designer, apparently, because they went on to treat 24 areas inside the passenger compartment itself.

But in all this praise for our designers, let's not forget the unsung heroes in the After Sales Division, whose own tinkering has produced 'Lioncare' AA protection for every new Peugeot owner.

It provides full AA assistance even if you run out of petrol, with an option of free car hire for 48 hrs or £100 towards the cost of your travel or a free hotel for a night if your car can't be mobilised.

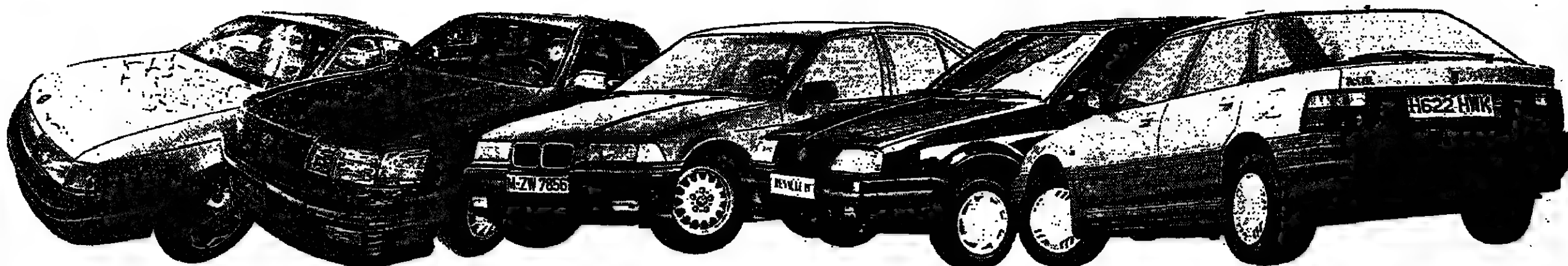
So you see, in every department at Peugeot we never stop tinkering. That's why Peugeots will never stop improving.



PEUGEOT 405 '91
PEUGEOT. THE LION GOES FROM STRENGTH TO STRENGTH.

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Battling for pole position: (from left) the Vauxhall Cavalier CD, Toyota Lexus, BMW 3-series, Renault 19 GTS-X and Rover 218 SLD Turbo underline the immense competition within the British fleet sector and its importance

New models race to keep ahead of the field



Sliding share: Derek Barron, Ford of Britain's chairman

Derek Barron, Ford of Britain's chairman, will have a lot of worrying to do this year. His company, the market leader in the UK and a huge profit centre for the worldwide Ford empire, has taken a pasting in the showrooms lately.

From dominating the market, particularly in fleet cars, Ford has seen its share weaken and its traditional top place in the league table of most popular company cars snatched away by a rival.

There was little surprise that incentives could no longer hold the position of the eight-year-old Sierra as the "sales rep's favourite" over the newer and much-praised Vauxhall Cavalier, which is rated as the top fleet car and the overall best seller in January.

However, more was expected of the Ford Escort. Relaunched last September in revised form after eight years as Britain's best-selling car, the new model Escort was eagerly awaited. But in spite of a £1 billion development programme, most observers wondered where the money had been spent. The shape was largely unchanged, the engines the same and there were few new features to separate the vehicle from its older rivals.

The result is that the Escort has been struggling to make headway and was only fifth in the January ratings. Big fleet companies have noticed a decline in fortunes for the model, built at Halewood, on Merseyside. Lex Vehicle Leasing, which operates 50,000 company cars, says the Escort was down from fifth to sixth in its list of fleet car orders last year. But Lex also noted that Ford has slipped overall with the Sierra, Granada and Orion all down, too.

Ford knows it faces a battle to hold on to its premier position, for

Manufacturers have to satisfy buyers who look for vehicles which are reliable and easy to maintain, while offering a little bit extra when it comes to value for money. Kevin Eason reports

1	Vauxhall Cavalier	101,074
2	Ford Sierra	85,710
3	Vauxhall Astra	56,888
4	Ford Escort	55,930
5	Ford Fiesta	41,757
6	Rover 200 series	31,548
7	Ford Granada	25,168
8	Rover Montego	23,359
9	Rover Metro	22,192
10	Ford Orion	20,533

Fleet car sales for 1990

Lex's check underlines the immense competition there is within the fleet sector. No longer is the buyer restricted to the Escort simply because it is built in large numbers and carries a reputation for reliability. Reliability is now expected from all cars on the road, as well as a long warranty, attractive appearance and a list of luxurious specifications.

The Cavalier has cemented its place as the most attractive fleet car because of its good looks, reliability and, I would contend, a commitment to security, with better locks and coded radios which convinced fleet managers they can cut their insurance losses.

The Rover 200 and 400 series is gaining ground. Its main constraint has been that the company's Longbridge plant in Birmingham could not make enough. And the Vauxhall Astra, though relatively long in the tooth and due for replacement late this year, is also as popular as ever.

The Fleet Show will also feature an important debut: the new BMW 3-series, a model which

found a niche in the hearts of Britain's up-and-coming executives of the Eighties. The Germans promise bigger cars with engines from 1.6-litres through to a 2.5-litre six-cylinder.

Adding spice to the competition is the fact that fleets, which had been dedicated to buying British, have opened their doors to continental and Japanese marques.

The *Monks 1991 Guide to Company Car Policy* found that 45 per cent of companies allow Japanese cars in their fleets. The argument is that some models, of course, are British, like Nissan's Primera.

The Primera is built at the company's £650 million factory at Washington, Tyne and Wear. Unfortunately, after winning a crop of awards abroad, the model has barely surfaced in the UK, because of the argument between Nissan Motor Manufacturing, the Japanese-owned business, and Nissan UK, its independent British distributor.

The Primera has all the attributes to make it a desirable fleet car: quick, economical, comfortable and promising Nissan's usual record for reliability. But it is very much a forerunner for other Japanese cars in the fleet market. Toyota and Honda, both investing heavily in Britain, are also trying to catch the eyes of fleet buyers.

Even in the executive sector, usually dominated by Jaguar, Ford, Vauxhall and Rover, there are Japanese rivals which have the style, class and performance to seduce any executive buyer.

The 4-litre V8 Lexus, from Toyota, at £36,000, is all power and luxury, with the best of Japanese high technology, even down to a hi-fi system, including compact disc player, specially designed for the best sound quality.

Toyota engineers who designed the Lexus admit they took apart and studied the famous Jaguar XJ6, a Mercedes and a BMW 7-series to discover what makes the finest qualities of a luxury car.

The Japanese have followed up with another triumph in the luxury market - the Sigma, from Mitsubishi, which was voted Japan's Car of the Year for 1990.

British drivers could be baffled by the array of initials which denote the Sigma's place as one of the most advanced cars on the road. The Sigma has something named Dynamic Two, which comprises 4IS, ECS, 4WS, 4WD and TCL controlled, of course, by ECU. It seems hardly worth mentioning the ABS braking, which is also standard on the car.

To sum up the initials, the Sigma has an advanced traction control and suspension system which monitors all aspects of the car's chassis performance through an electronic control unit with traction control (TCL) sensing which wheels have best grip.

Incorporated into that is trace control, which automatically feels the car's pitch and roll into corners and will adjust speed accordingly. Hit a bend too fast and the car will compensate by reducing speed

and straightening up the chassis. At two prices of £24,789 (cloth trim) and £25,859 (leather trim), fleet managers will be taken aback by the simple value for money package of the Sigma.

Having to find value for money could mean a substantial boost for diesel after years of being shunned by fleets. Diesels have come a long way. They are cleaner, quieter, offer performance as good as most petrol-driven saloons and offer fuel savings of up to 25 per cent.

Citroën and Peugeot, the biggest suppliers of diesels, are conscious that fleet buyers want the same comfortable fittings as petrol models, and companies such as Rover will want to prove that their executive diesels are not lacking such comforts.

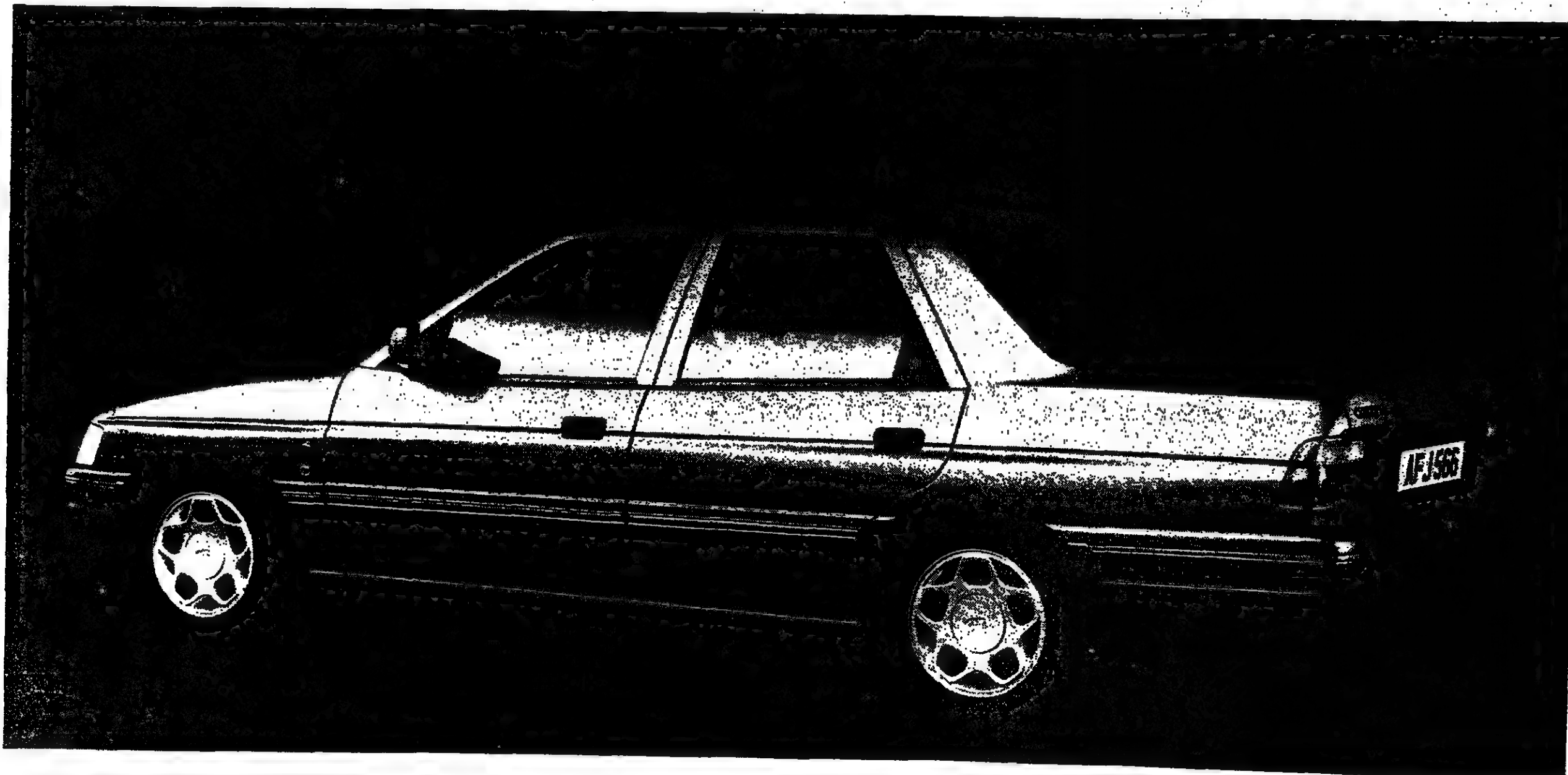
The Fleet Show 91 has a wide display of diesel cars and all are worth checking, from the super economical Citroën AX range, with claimed 75 miles to the gallon, through to Rover's new 200/400 diesel range.

For fleet managers to whom the retail price is all-important, there are alternatives. Proton was unknown in Britain two years ago. Now there are 18,000 of the Malaysian-built cars in the UK and one of its range was voted best value hatchback under £10,000 from 254 rivals by *What Car?* magazine.

Doubters may be dubious about taking on cars which are in the showrooms at prices between only £6,700 and £9,000, but Proton says its two-year or 50,000-mile warranty, six-year anti-rust guarantee, and six-year power-train (engine and gearbox) warranty are aimed at peace of mind for the fleet user.

In these times of restraint, there could be many fleet managers whose eyes will be caught by this little piece of eastern magic.

A modern classic.



What makes a car a classic? Must it follow fashion or be above it?

Should it be outrageously new or timeless? In the new Ford Orion you'll find the answer.

The classic lines of its exterior conceal a combination of microchip technology and decades of Ford experience. In particular, it boasts a longer wheelbase and new twist-beam suspension which

produces a smoother ride and better handling.

The Orion is also noticeably quieter, thanks to improvements like flush-fitted doors and glass and a sleeker shape all round.

For the first time you can have electronic anti-lock brakes across the whole range, and on certain models you can specify refinements such as power steering, air conditioning and a CD player.

The Orion is designed for those people who believe that luggage belongs in the boot. In this case a boot with a generous 490 litres of storage space.*

From the moment you sit back in the Orion's roomy interior, you'll know how it feels to drive a

classic car. Test drive one soon. We predict that the classic look is going to become remarkably fashionable this year. For the address of your dealer contact the Ford Information Service free on 0800 01 01 12 or, for Fleet Information, call 0245 283245.

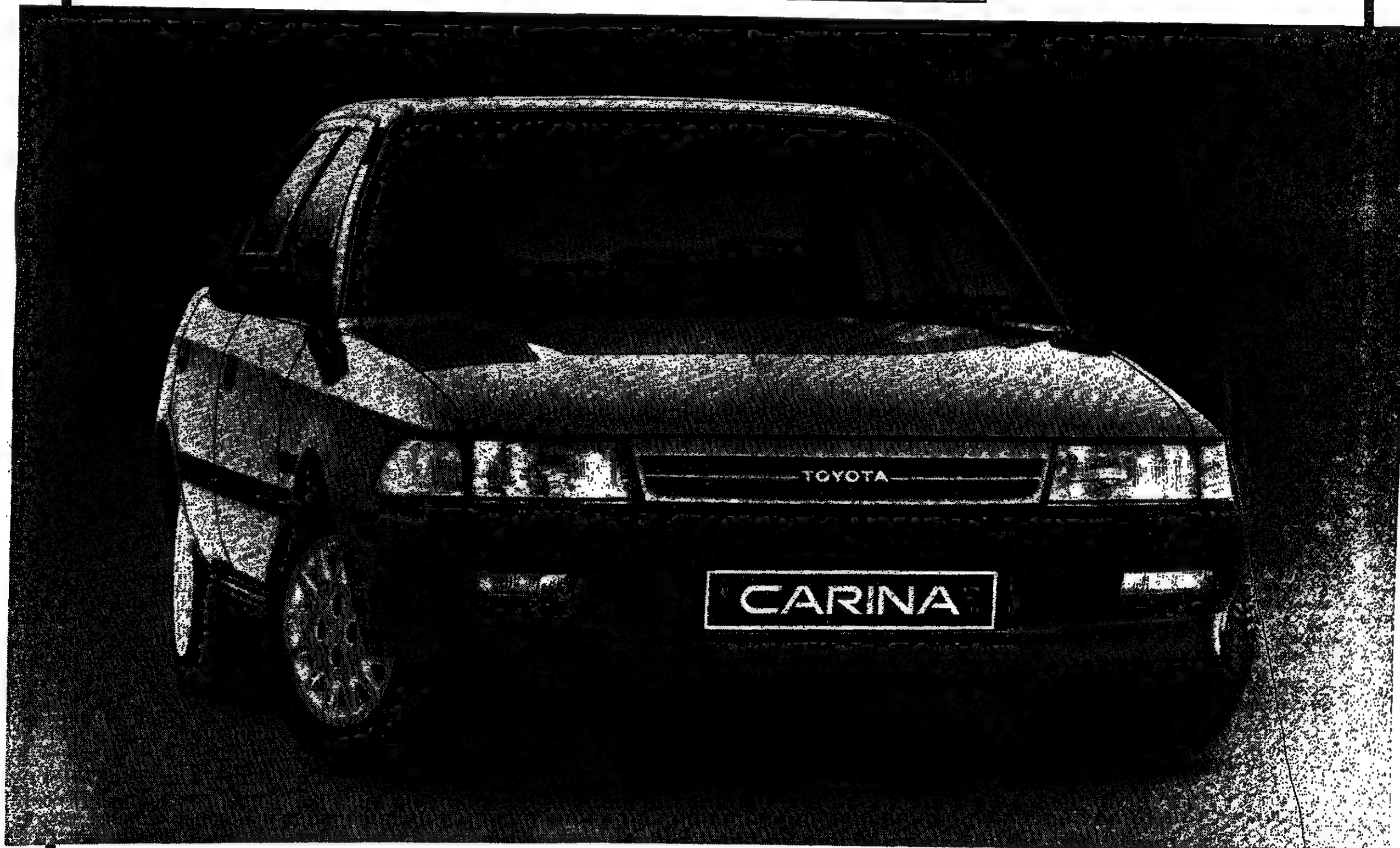
The new Ford Orion.



* Measured using the VDA method

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Power steering	No	No	YES
Electric sunroof	No	No	YES
3 year warranty	No	No	YES
16-valve engine	No	No	YES
Under 12 secs. 0-60	No	No	YES
PRICE	£11,220	£10,999	£10,445



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T5/3

The future is a phone in every car

Executives will soon have a mobile office. Matthew May looks at the equipment that will accompany tomorrow's business leader

Exceeded the motorway speed limit in a couple of years and your car phone may go dead. This will be the result of a technical limitation of a new breed of mobile telephones likely to provide cheaper and better communications for people on the move.

The system, called a personal communications network, is being pioneered in Britain by three operators that have been given government licences. Mercury Personal Communications says its network will open before the end of next year in the London area. The other operators, Microtel and Uniflex, are expected to follow soon afterwards, though the cost of establishing such networks has led to speculation that they may merge.

These and other planned technological advances mean that by the middle of the decade car phones are expected to become the norm for those who use their company cars for work. Lower prices and better service are predicted to lead to more than ten million people being connected to a mobile network by the end of the decade.

However, there has been a sharp decline in the rate of expansion for the two cellular phone networks, Cellnet and Vodafone. At least one in ten car phones is being handed back, although some estimates put the figure at one in five, and the average number of calls per customer has dropped by 10 per cent.

Cellnet and Vodafone do not sell to their customers directly, but to service providers. Towards the end of last year two providers went into receivership. The networks themselves are under criticism for high charges and the quality of service.

Several providers suffered as car phones became available for almost nothing. A large minority of those attracted by special offers, however, did not realise the high costs of using their "free" car phone - £25 a month subscription and peak-time calls at 25p a minute and 33p within the M25 - and had debts rose sharply. This has made fleet operators even more sought-after by service providers in the hope of big orders and reduced debts. Discounts are available for bulk buying.

Two out of three mobile phones

Personal networks will also operate with smaller radio cells than present systems, which will lead to cheaper telephones

are in cars. Companies using them pay bills of several hundred pounds every quarter for every employee. Even a modest user making only 15 minutes' worth of day-time calls every weekday pays £100 a month.

Companies with a fleet of car phones can pay for a direct link from their switchboard to the nearest radio cell. The link can make a company car phone operate in the same way as an internal extension and can reduce peak-time charges to 16p a minute. A cheaper alternative is Band III radio, which is using the frequencies that formerly transmitted the old 405-line television pictures. Where access to the telephone network is not required, this

mobile radio system is useful for drivers who need to be in touch just with head office. National or regional coverage can be chosen for a fixed monthly sum.

Despite the present problems, mobile phones have been a huge success with more than a million people in Britain. Apart from the Scandinavian countries, British use is well ahead of that of other European countries and the call charges are cheaper than everywhere else in Europe, except Spain and Denmark.

The industry believes a mobile phone will become standard equipment in a company car, and that many cars will become mobile offices with fax machines and laptop computers connecting with other computers anywhere in the world via a car modem.

As an example of what could be on sale in a few years, Ford recently produced two "executive Scorpios" to display at a European motor show. Each contains two telephones, a fax machine, a laptop computer, a printer and a photocopier. Ford has added custom-made cabinets, a fold-down table, rear-window sun blinds and more reading lights. Some manufacturers are thinking of such equipment as optional extras for more expensive models.

Although the office in a car is now possible, the systems available can be awkward to use. Complex error correction routines are required, for example, to cope with short breaks or poor line quality in transmission that can corrupt transmitted data. A full set of office equipment can also be expensive, typically adding £4,000 to the cost of the car.

Using digital technology for clearer calls on the new networks should encourage the mobile office. Personal communications networks will also operate with many more and smaller radio cells than existing systems, leading to less powerful, smaller and cheaper phones. However, above about 80mph there are likely to be problems in switching calls between the cells.

Cellnet and Vodafone are planning digital networks. A test service is due to start by the end of the year. These networks will not work with existing mobile phones so a large network will have to be established before customers are attracted.

With an eye on the single European market, both systems will conform to a pan-European standard, Groupe Speciale Mobile. In the years to come a subscriber to one national system will be able to make calls all over Europe.



Office in town: the special Scorpio has two telephones, a fax, laptop computer, printer and photocopier

Squeeze boosts business

Some fleet management companies are putting on a brave face against the cold wind of recession. The FMM Group, which was launched in 1974 when industry was struggling to contain costs in the wake of sharp rises in the oil price, believes it can profit from recession.

Dominic Suddaby, the general manager of FMM UK, says: "The increased awareness of costs causes businesses to turn to us because we can help them make savings." Proof of his claim is easy to find. During four weeks to mid-February, FMM acquired five new corporate customers and two from the local authority sector.

Geoff Cobley, the managing director of Fleet Management Services, says falling residual values of cars and increasing repair costs are the prime motives for companies to seek outside expertise in the management of their fleets. Mr Cobley calculates that residual values of used cars have fallen by 7 per cent in real terms during the past five years. "This means that during 1990 fleet managers have been losing £700 on every £10,000 car they sell," he says.

The cost of running fleets has also risen sharply. Mr Cobley says that managers report a rise in 1990 running costs of up to 20 per cent. Fleet

Abuses by users may become a thing of the past as computer systems lead to better control of costs

Management Services says it has kept increases on maintenance of the vehicles it supervises within 9.8 per cent.

Use of company cars as a status symbol within companies, and to impress customers and suppliers, has inevitably led to inefficient use of cars by companies. Typically, cars have been renewed on a three-year cycle, irrespective of mileage or condition. Yet, as Mr Suddaby points out, modern cars are of better quality than they were five years ago. Many cars will now provide reliable service for up to five years, or 70,000 miles, before maintenance costs begin to make them uneconomical, he says.

As fleet management companies have increased the number of customers, so has the fleets' buying power increased. Mr Suddaby argues that with more than 50,000 vehicles under his management, he can obtain better rates on new vehicles, tyres, insurance and other costs than managers of individual fleets, even those with several hundred vehicles.

Computer systems also enable fleet managers to monitor and control costs and to stamp out abuses by car users. A garage carrying out maintenance or repairs on a car under fleet management will have to telephone the vehicle's supervisor for authorisation before work can start.

Examining a computerised record of the vehicle's maintenance history enables the supervisor to ensure that no unnecessary work is carried out. He or she also has access to the manufacturer's list of part prices and detailed service schedules, which enable him to query any exceptional bills for materials or labour.

Computerised information on running costs enables a fleet management company to offer reliable advice to companies on the most cost-effective selection of vehicles. A management company will also take responsibility for selling vehicles at the end of their company service. Some will underwrite the disposal price at the time of purchase.

ROSS TIEMAN
Industrial Correspondent



Business on the move: Ford's fully functioning office in a Scorpio

On-the-move entertainment adapts new sound and traffic-report systems

And now, for the top ten traffic jams

If you need ICE, forget FM and AM, your car needs LCD at least, with RDS, EON and dashboard requirements. This is the world of in-car entertainment (ICE), where acronyms abound.

Like their bigger brothers in the nation's living-room stereo systems, car-borne entertainment systems are becoming more sophisticated. The compact disc (CD), an innovation three years ago, is now standard in some cars, such as the Toyota Lexus.

However, the emphasis of ICE is shifting from a piece of electronic hardware that supplies only music. Today's developments aim to make driving safer, quicker and more economical of time and energy.

Over the past year, radio data systems (RDS) have been

gaining ground, and the car-maker Ford is among the innovators. Steve Woolmington, of Ford, says: "Once the button has been selected, the RDS system will automatically interrupt whatever you are listening to with traffic bulletins. If you have the volume down, the RDS system will boost it to ensure you hear the traffic bulletin. When that ends, the radio reverts to what you were listening to before."

The RDS relies on special pulses broadcast before and after the traffic bulletin to alert the receiver to switch to the bulletin, then back to what the motorist had been hearing. An advance on RDS is extended other networks (EON). Andrew Burslem, of the electronics company Philips, says the present RDS prices will



Route-finder: Traffic Master, tested by Cecil Parkinson

fall to £220 by the end of the year. EON will, he believes, enter the market by the end of the year. Mr Burslem adds: "As traffic bulletins are broadcast, EON also over-rides whatever you are listening to." Unlike RDS, EON gives only local traffic bulletins.

For the ultimate in instant traffic advice, Traffic Master may be the answer. Every motorist has suffered the annoyance of sailing into jams that the radio station has not yet caught up with, or of making long detours to avoid delays only to find out later they had already been cleared. Traffic Master, launched last September by Cecil Parkinson, then the transport secretary, relies on 240 monitors placed on bridges and covering a 35-mile radius around central London, taking in the M25, and parts of the M23, M4, M1 and M11.

The infra-red sensors constantly monitor traffic flows and feed the information to a main computer. The information is then broadcast to motorists, via a dashboard-mounted screen.

David Martell, the managing director of General Logistics, says more than 500 vehicles use Traffic Master. VAUGHAN FREEMAN

Only £34,000 for the ultimate in security

The high cost of car park spaces in inner-city areas makes companies increasingly aware of the problem of unauthorised parking. A space used illegally wastes time and money, but a company has to weigh up the cost of policing its car park against the costs of unauthorised users.

Company cars left overnight in car parks are also a prime target for thieves.

One way to deter both illegal parkers and thieves is the wheel clamp.

Lionel Kennedy, of Midlandbrough, makes clamps in four sizes for forecourt and trailer security, or simply to deter joyriders. The company's Super Model is suitable for anything with tyres up to 9.5in. wide. The next size, the Authority B will accommodate vehicles up to Range Rover size.

The insurance industry, facing record losses from car crime, is to double the number of insurance group ratings and penalise owners with a bad break-in record, which will affect the buyer appeal of some models. Car crime rose by 23 per cent last year and is likely to cost the insurance industry £400 million in claims. More than eight in ten car crimes are opportunistic, so there will be increased pressure on drivers to deter the amateur vandal and joyrider.

Some manufacturers, including Ford and Vauxhall, now fit better door locks, but many still penny-pinch, because like safety, security has never been a strong seller.

A visible mechanism, such as a steering-wheel clamp, will discourage the opportunist from trying to break into a car. The Stop Lockclamps the wheel. An invisible deterrent is the ADD Immobiliser, which can hinder vandals long enough to make them try their luck elsewhere. Connected to the existing wiring system, it acts like an extra ignition key and fits into a specially installed socket. The eight-point key intercepts vital circuits in the wiring system and relies on the complications that would be involved in by-passing it to impede thieves.

An alternative is the Gamma Invisibeam security system, which uses a synthesised voice to warn off any intending thieves. Statistics show two out of three drivers will have their cars vandalised or stolen in the next decade. The RAC has demanded that more should be done to improve vehicle security. Tests show that even the latest models can be broken into in three seconds.

Richard Hill, the managing director of the Insurance Service, says a lot of crimes can be avoided if precautions are taken. He says drivers should avoid parking in high-risk areas, remove valuables from view and fit a removable radio-cassette.

The one car that could beat the thieves has a price tag puts it beyond the reach of most drivers. RAC security experts have been given the all-clear to smash the windows of Toyota's top-of-the-range Lexus in emergencies because they say it is impossible to break into. Their efforts to pick the £34,250 car's radio-controlled central locking system failed, although they used the latest hi-tech equipment.

DAVID YOUNG

● Lionel Kennedy, Marsh Road, Middlebrough, Cleveland TS1 5JS (0642 245151); Stop Lock, Metro Products, Eastman House, 98 Station Road East, Oxford, Surrey RH8 0AY (0883 717644); Immobiliser, ADD Group, 101 New London Road, Chelmsford, Essex CM2 0PP (0245 350161); Invisibeam, Gamma Electronics, Unit 9, Avenue 1, Business Park West, Leicestershire SG6 2BB (0462 670555).

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Association, the Official Referees Bar Association, and The Bar European Group.

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To many people, the bank manager is an awe-inspiring figure. Not every bank encourages customers to seek an interview to find out the exact terms of their contract with the bank, or the rights and obligations on each side. Nor are many customers inclined to ask. Now this is to be put right. A full review of banking law and services has been followed by a White Paper, "Banking Services: Law and Practice". Both recommended that the remedy should be a code of practice to be drafted by the banks and building societies. A draft code was issued before Christmas by the British Bankers Association and the Building Societies Association. A steering committee from the banks supervised the work. The committee consisted of past and present bankers, a member of the Banking Ombudsman Council and a financial journalist — but no lawyers. Comments were invited and the two bodies will now be considering whether and how to revise it.

Some countries have codes governing the relationship between banker and customer, which have legal effect, like the American commercial code. Britain does not. But the Bills of Exchange Act 1882 was a codifying Act and is still the main and satisfactory source of the law of negotiable instruments.

Otherwise, banking law is the common law, in this case based firmly on the customs of the banks themselves, confirmed or varied by the decisions of the judges, if a banking point comes before them. So the bankers have always had a hand in making their own law, subject to basic legal principles. Most agree that so far it has worked well. But there has always

Bank check needs more time

LEGAL BRIEF

A code of practice has been proposed for the banks to explain the terms of their contracts with customers. But more discussion is needed before the code is finalised. Derek Wheatley, QC, puts the case for an extension



been the criticism that the system favoured bankers because they knew the law while their customers might not.

The White Paper says: "The government thinks it is desirable that a code should specify that customers will be given information... about the terms of their contract with the banker and the

rights and obligations that apply on both sides."

A code was the right choice because the alternative of a statute is too rigid. New technology, in particular in relation to payments systems, is fast-changing and requires a flexible legal framework.

Most banks have no single written contract that covers the

range of their services to customers and is binding on both.

The draft code is careful to say that it "is not intended to have contractual effect".

The code should therefore be as comprehensive and uncontroversial as possible. Yet the time allowed for comment ran only to March 1. The draft code says:

"Banks may pass personal information about their customers to...

members of staff so that customers can be informed of services which may meet their needs" and "...banks may pass information to credit reference agencies about debts of customers who are in default" (what is known as "black information"). Some

may be pleased to receive literature promoting the services of their bank's subsidiaries.

Preventing bad debtors from getting further in debt may be thoroughly desirable. But how does it square with the banker's duty of confidentiality? The code helpfully explains the better-known exceptions to the case of

customers may, however, be liable for all losses "... if they have acted negligently". Surely, when a card is lost, the customer is usually guilty of some negligence? The statutory credit card limit has no such proviso; negligence is difficult to define and will lead to dissatisfaction.

Controversial proposals of this kind need legal comment and public discussion. The time allowed for it has been too short.

Tournier v National Provincial & Union Bank (1924), which provides a general duty on a bank to keep its customer's affairs confidential. But it gives no hint of any exception that might cover the passing of information to other companies in the group.

The suggestion that passing information to a credit reference agency can be justified under *Tournier* is bound to raise legal eyebrows.

The law has always been clear that any penalty clause in a contract is invalid. The code says, however, that in the case of an unauthorised overdraft, "... banks of interest and make other charges". Of course, a bank could make a proper charge for the work entailed, but it is unfortunate to call it a penalty if a deterrent rate of interest is not intended, and if it is not, why call it a penalty at all?

The code sets out a number of helpful requirements for banks. It suggests a limit on the liability of customers in the event of unauthorised withdrawals from their accounts by means of a lost but unreported cash card. This is in line with the statutory limit of liability for the misuse of a lost credit card.

Customers may, however, be liable for all losses "... if they have acted negligently". Surely, when a card is lost, the customer is usually guilty of some negligence? The statutory credit card limit has no such proviso; negligence is difficult to define and will lead to dissatisfaction.

Controversial proposals of this kind need legal comment and public discussion. The time allowed for it has been too short.

© The author is a member of the Joint Bar Council/Law Society working party on banking law.

Law Report March 5 1991 Privy Council

All matters alleged against medical practitioners should be heard together

Reza v General Medical Council
Before Lord Keith of Kinkaid, Lord Oliver of Aylmerston and Lord Lowry
[Judgment March 4]

In proceedings before the professional conduct committee of the General Medical Council all matters alleged against a medical practitioner should be heard and considered together. Separate charges were suitable where two distinct types of misconduct were alleged and where the determination that one type of misconduct was established could not reasonably aggravate the seriousness of the other misconduct.

The Judicial Committee of the Privy Council so held in dismissing an appeal by Dr Mohammed Ali Reza against the determination of the pro-

fessional conduct committee of the GMC on March 12, 1990 that by reason of a finding of serious professional misconduct his registration in the register be erased.

Mr Kieran Coonan, QC and Miss Nicola Davies for Dr Reza; Mr Andrew Collins, QC and Miss Rosalind Foster for the GMC.

LORD LOWRY said that by notice of enquiry the appellant was charged with (1) on numerous occasions at his surgery making improper and indecent remarks to an employee and behaving improperly towards her; (2) making improper and indecent remarks to another employee; (3) and (4) making improper and indecent remarks and improper behaviour to two other employees; (5), (6) and (7a) abusing his professional

position in order to make improper and indecent remarks to three different patients; and that in relation to the facts alleged in each head of the charge he had been guilty of serious professional misconduct.

There was only one charge, serious professional misconduct, but all concerned treated the notice as seven different charges of serious professional misconduct.

A difficulty was created for the committee, the legal assessor and counsel by the fact that counsel's submissions were made and considered under the shadow of certain observations appended to the judgment of the Board in *Langford v General Medical Council* (1990) 1 AC 13 which suggested applying to hearings before the committee procedures which were appropriate only to trial on indictment.

Mr Coonan applied for each of the seven charges to be tried separately. The legal assessor advised the committee that charges 1-4 (group A), which were concerned with the appellant's conduct towards four receptionists employed by him, might properly be heard together and that charges 5 and 6 (group B), which were concerned with his conduct towards two patients, might properly be heard together. Charge 7 was not pursued. He stated that the question of hearing charges together fell to be determined in accordance with the rule about evidence of similar facts.

The committee accepted that advice and first heard evidence relating to charges 1-4. Mr Coonan submitted that, looking at the evidence in four isolated compartments, the facts of which evidence had been adduced were insufficient to support a finding of serious professional misconduct. The committee accepted that submission in relation to charge 1. The committee subsequently determined that the facts alleged in charges 2 and 3 had been proved but not those in charge 4, and proposed to hear charges 5 and 6.

Mr Coonan submitted that they should be adjourned and heard by a different committee, but the committee proceeded to hear the charges and reached a determination that the facts alleged therein had been proved except the words "and indecent" in charge 6. The committee judged the appellant to have been guilty of serious professional misconduct.

Their Lordships were satisfied that, if the criminal analogy was applied, the committee had full jurisdiction to consider when they adopted the procedure for hearing the complaints in groups A and B as they did, since the evidence of improper and indecent conduct and the surrounding circumstances in each of heads 1-4 qualified as similar fact evidence in relation to the other heads in group A and the same could be said concerning heads 5 and 6(a).

Their Lordships were equally satisfied with regard to the closely related question whether the evidence under heads 2 and 3 and under heads 5 and 6(a) respectively was similar fact evidence and capable of being provided in a way that was credible, of affording mutual corroboration.

There were two separate answers to the complaint about the appellant's proceedings immediately from the group A charges to hear those in group B. The first met the appellant on his own ground. The legal assessor advised the committee that they should proceed with charges 5 and 6(a) and only if they were satisfied that the doctor would obtain a fair hearing and would be seen to obtain a fair hearing.

The committee reached a deliberate decision to proceed. They had shown signs of being show by their decisions in favour of the appellant on charges 1, 4 and 6 the ability to discriminate and, in turning to cases where patients were concerned, they must have been very much aware of their responsibilities.

Accordingly, there was no real likelihood of an operative prejudice and a reasonable and fair-minded person who was familiar with the procedure would not have had a reasonable suspicion that a fair trial for the appellant on group B charges would not be possible. The second answer depended mainly on a consideration of the procedure to be followed in hearings before the committee as set out in the General Medical Council Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) Rules Order of Council (SI 1988 No 2255).

The 1988 Rules did not contemplate an enquiry by one committee into every matter put before them, whether relating to convictions or conduct or both.

The whole picture was of a committee who were to be informed of all the facts alleged and all the background which could help them to determine the interests of the public and the profession what, if anything, was to be done by way of censure or suspension or the imposition of conditions.

The absence of any provision for the separate hearing of charges or parts of charges was consistent with that approach. The procedure was clearly and surely laid down, so that it would be impossible to wait until two or more separate committees had made interim findings and then have a final adjudication.

His Lordship referred to *General Medical Council v Medical Practitioners Disciplinary Committee* (1986) 1 NZLR 513 and continued that it appeared from the 1988 Rules that the charge, and not the separate incidents designated by the heads or particulars of the charge, was the unit of accusation and determination.

If any of the particulars of a charge survived, serious professional misconduct might be found in respect of the charge of which they were particulars. But if there was a finding of no guilt on one charge, that charge and the conduct relating to it were no longer before the committee.

The presence of the twofold condition for separation of charges meant that it was appropriate to make the group A and group B incidents the subject of a single charge of serious professional misconduct, because they were all relevant to the way in which the appellant conducted his practice.

The division of the charges into two groups by reference to the similar fact doctrine ought to have clarified no implication that the groups would be heard separately in the sense in which the word was understood in a criminal context.

The committee, even if there had been two or more formal charges, were at liberty to hear, indeed ought to have heard, all the evidence relating to the six heads of complaint and head 7(b), although that alleged a different kind of misconduct, connection with the practice, and ought to have gone through the whole rule 27 procedure in relation to all the evidence before passing on the procedure under rules 28-31.

The procedure suggested in *Langford* (at p23) concerning separate trials and separate charges ought not to be adopted. The inevitable consequence was that in cases like the present, as well as those involving more disparate complaints, all matters alleged would be heard and considered together.

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L & P

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The appointment is with effect from Autumn 1991 and interviews will be held late Spring.

(11925)

west sussex

Injury not caused 'at work'

McKay v Unwin Pyrotechnics Ltd
Before Lord Justice Mann and Mr Justice Simon Brown
[Judgment February 6]

There was no contravention of section 6(1)(a) and (b) of the Health and Safety at Work Act 1974 (as amended by the Consumer Protection Act 1987) when a person was injured while carrying out the first trial and demonstration of a dummy mine, as it could not be said that it was designed or manufactured for use at work but rather to determine whether it could be used at work.

The Queen's Bench Divisional Court so held in dismissing an appeal brought by the Health and Safety Executive against the dismissal by Dover Justices of two informations preferred on behalf of the executive alleging contraventions of section 6(1)(a) and (b) of the 1974 Act by Unwin Pyrotechnics Ltd.

The dummy mine was being tested to ascertain whether it would explode when hit by a nail attached to a vehicle.

Section 6 provides: "(1) It shall be the duty of any person who designs, manufactures, imports or supplies any article for use at work... (a) to ensure... when it is being... used... by a person at work; (b) to carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed on him by the preceding paragraph."

Mr Ian Leis for the executive; Mr Nigel Wilkinson, QC, for Unwin.

LORD JUSTICE MANN said that on March 23, 1988 Michael Stone was injured as the result of the detonation of a prototype dummy mine, or area denial munition simulator, that

he was testing. He was a self employed explosives expert engaged by Unwin to act as a consultant in the design, testing and manufacture of the dummy mine.

It was argued on behalf of the executive that Mr Stone had been injured while at work. That, however, was to focus upon the problem from the wrong end.

His Lordship could not see how it could be said that the mine was designed or manufactured for use at work. Its design and manufacture was to determine whether it could be used at work.

Whether the operator ought to be protected was another matter but in the circumstances of the present case there had been no contravention.

Mr Justice Simon Brown agreed. Solicitors: Treasury Solicitor; Cameron-Markby Hewitt.

سكوتس لاند

User-friendly firms spell out the terms

Wilde Sapte, the City law firm with a reputation for its banking practice, claims to have broken new ground with the publication yesterday of its "Client Guide". Philip Brown, the managing partner, says clients are increasingly concerned to understand how their relationship with their lawyers will work. So, whether clients want to know the fees they will be charged or how to complain, it is now important for law firms to be explicit about how they operate.

"The client service brochure is the result of careful market analysis," Mr Brown explains. "It demonstrates our strategy to be regarded as a firm that genuinely delivers partner-led service."

Most leading London and regional firms would make similar claims. Wilde Sapte, however, has put down on paper the standards to which it is committed. For example, the firm explains how it handles clients' complaints and says it will answer them all "within 48 hours and by written reply". This initiative reflects new consumer pressures. The mystique surrounding legal service, which still means many clients are sent six-monthly bills without detail, is under increasing scrutiny. Clients are fac-

For the people who say they do not know what lawyers do to earn their fees, Edward Fennell discovers a practice that puts it on paper

ing tough times and want to know exactly the service they will receive and how much they will pay for it. Tim Razzell, the chief executive of Frere Cholmeley, confirms it is now important to be open, clear, and explicit with clients about how their work will be handled. "All new clients have the relationship explained to them in detail," he says. "Lawyers cannot afford to be seen as lofty and remote any more."

The Lovell White Durrant firm says it now sends clients a "letter of engagement" once an agreement has been struck. This describes the terms and conditions of the relationship and supplements the firm's general standards, such as promising to return all telephone calls the same day and replying to all letters within 24 hours.

The Wilde Sapte approach is different, however, in that it publishes its terms and conditions in advance as a selling point instead of stating them after being engaged. Wilde Sapte also argues that, although other firms provide the information informally, key points could be overlooked or misunderstood. Giving information in a brochure allows no room for error. An important part of the new Wilde Sapte system is an annual "service audit" carried out by the individual client's "service partner", who oversees all the work being done for that client. During the audit interviews are held with the key people in the client's organisation to review how well the work is being handled and to discover potential improvements. If there are problems, they are brought into the open for discussion.

Although other firms say that similar exercises are held informally, there are still relatively few that state it so clearly. "We do not have a formal annual review at the moment," says Jeremy Connell, who is responsible for marketing at Lovell White Durrant. "It may be something we set up in the future." The greater the clarity in the



By the book: Philip Brown, publishing conditions in advance

relationship, the better people know where they stand, and the more comfortable they will feel. One section in the Wilde Sapte booklet is devoted to the client's role and explains how clients can keep fees down. The booklet says: "There are times when clients may be able to carry out tasks more economically than if the work is passed to us."

Such a message is likely to be music to the client's ears. The more clearly the message is delivered, the more likely it is to get a response.

INNS AND OUTS

A fair way to network

LEADING regional law firms will be among the 80 employers at this year's Law Fair at the Business Design Centre, in Islington, north London, on March 14 and 15. Firms that have formed networks, such as Law South, the Legal Resources Group, Everheds and the Norton Rose M5 Group, will be recruiting for 29 practices.

The relative buoyancy of regional firms is shown by a new report from Actis Recruitment, which specialises in jobs for solicitors in the North. Andrew Lee, the director, says: "Most provincial law practices are not suffering the fall-off in work reported by firms in London and the South. Solicitors in the North and the Midlands are offering greater job opportunities than firms in the South-east."

The fair, run by the University of London's careers advisory service, and sponsored by *The Times*, the Bar and the Law Society, is expected to attract more than 5,000 students. A career in international law and opportunities on the Continent will be another strong theme. The big

graduate degree courses, as well as the common professional exam or diploma in law (the conversion courses for non-law graduates to become lawyers) and the Law Society finals exams. Details: 071-387 8221.

Defence links

THE International Bar Association is to set up a transnational network for lawyers who defend alleged terrorists, international drug traffickers and money launderers. The network will be launched at a Munich seminar in July and will be established in association with the American National Association of Criminal Defence Lawyers and the American Bar Association.

The network is the idea of Peter Müller, a Munich lawyer and criminal-law specialist. It will concentrate on discussing the problems common to all lawyers defending alleged international criminals, including gaining access to the client, public attacks and difficulties in getting bail.

Going east

THE City law firm Allen & Overy is opening a branch in Warsaw. The office will be run as a joint venture between Allen & Overy and Gide Loyrette Nouel, a French law firm, operating as an extension of the firm's close association. The two firms, which jointly advised the Polish government on setting up a stock exchange, already have Polish-speaking lawyers in Warsaw.

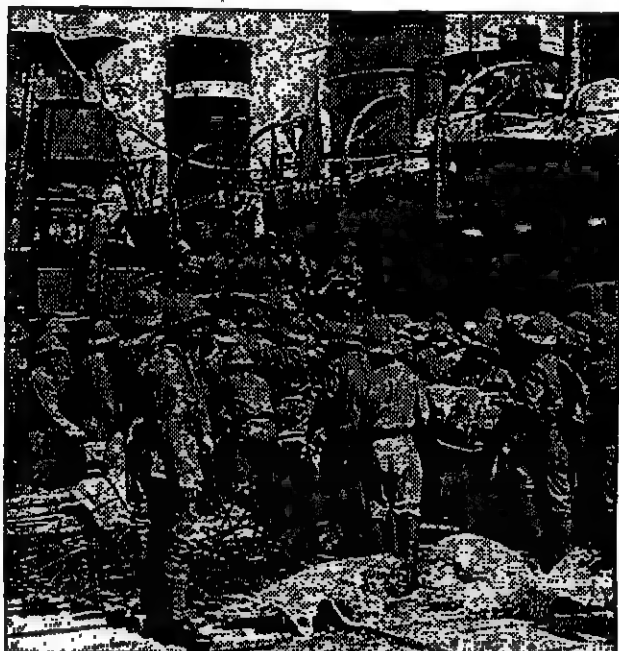
Bar poser

WHILE law firms continue to open branch offices on the Continent, despite the recession, one Euro-law firm is opening a set of chambers in Chancery Lane.

The UK barristers in the firm Stanbrook and Hooper have caused a stir with their venture. They are continuing to act in partnership for the purpose of overseas practice work, as allowed under Bar rules.

The Bar Council will now have to work out what this means for its ban on partnerships for domestic work.

SCRIVENOR



Shanghai 1937: the hostilities that led to war

War? A case of common sense

A RECENT discussion about a *force majeure* clause in commercial contracts has illustrated the confusion over the meaning of the word "war" to English courts. In particular, people have wondered whether English courts would have the same understanding of war as public international law.

In fact, English courts ignore the niceties of international law when deciding. The word war is always construed in a commonsense commercial way.

A leading textbook on commercial shipping contracts, *Scrutton on Charterparties*, states: "The word 'war' in a provision in a charter-party is not to be construed in accordance with the tests of international law, but is to receive the business or commercial meaning in which it would be understood in its context."

The authority is *Kawasaki v. The Bannan* (1939) 2 KB 544, in which Judge Goddard decided the definition of the hostilities between China and Japan as war had to be answered from the understanding of a tramp steamer captain, who found 500,000 troops fighting at Shanghai.

The judge determined the captain would say: "There is a war going on and I must hot-foot it from Shanghai with my ship immediately."

The reason is clear. The steamer captain on the *Clapham omnibus* is not a Latin scholar and is not familiar with international law. Nor is he familiar with

the Hague Convention on the Opening of Hostilities 1907, which requires that a war should be announced by declaration or ultimatum.

Any trader considering whether his *force majeure* clause entitled him to suspend or postpone performance should have had no fear that there was war in the Gulf.

It has also been alleged when discussing the doctrine of frustration: "The courts are not as flexible when dealing with frustration cases and are unable so easily to readjust a contract to provide a fair result." This is incorrect. The Law Reform (Frustrated Contracts) Act 1943, intended to remedy what was seen as an injustice, says: "Where any party to the contract has by reason of anything done by

any other party thereto in or for the purpose of the performance of the contract obtained valuable benefit... there shall be recoverable from him by the said other party such sum, if any, not exceeding the value of the said benefit to the party obtaining it as the court considers just having regard to all the circumstances of the case."

Further detailed provisions cover other circumstances in which a court may award payments it considers just. Therefore, if a contract is terminated through the doctrine of frustration, the court has a wide-ranging discretion.

DAVID E. CHARITY

The author is a partner with the London firm of Holman Fenwick & Wiltan.

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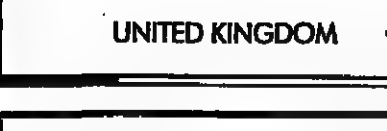


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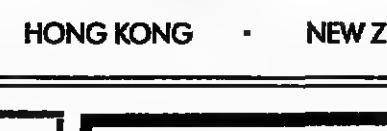
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The post will be based in Edinburgh. Appointment will be for a 3 year period and may be renewable. The appointment is part-time (25 days per week at least full-time) at a salary of £16,985 per annum. There will be a small support staff. You can get further information by calling Alison Mackay on 031 244 2204. Please send your full CV with the names and addresses of 2 referees who can speak of your skills and work experience to: Mr R. A. Fox, The Scottish Office Home and Health Department, Room 227A, St Andrew's House, EH1 3DE. The closing date for applications is Friday 20 March 1991. No acknowledgement will be sent.

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LEGAL APPOINTMENTS

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For further details please contact **Philip Boynton, LL.B., LL.M.**, on 071-405 6852 or write to him at **Reuter Simkin Limited, Recruitment Consultants**, 5 Bream's Buildings, Chancery Lane, London EC4A 3DY.

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A Common Dilemma

A dilemma often facing newly-appointed solicitors is the discovery, on arrival at their new firm, that the work they are given is rather different from the kind of work they were promised at interview. Sometimes the difference is quite staggering: a recent candidate found himself doing civil litigation having taken what he thought was a job in entertainment law. Usually the difference is more a matter of emphasis. "Wide-ranging commercial litigation, with the occasional County Court debt-collection," has been known to mean debt-collection with the occasional wide-ranging mortgage repossession action. Prevention is easier than cure. If you are promised a mix of work – some interesting, some not – take steps to verify the true proportions. Ask to talk to the person you will replace or to other members of staff who know the kind of work to be done and the background to the vacancy. As a precaution, it may be wise to assume that the interesting work will be described with greater emphasis than the uninteresting. If you do find yourself in this dilemma, what is the solution? Those who seriously need advice should give me a ring. Each case is unique. One set of considerations applies, for instance, to newly-qualified solicitors who will rapidly become labelled as specialists in the work they are doing, however unwillingly they are doing it. It is imperative they take action quickly. Other considerations apply to senior solicitors who may have a history of frequent job-moves and who are concerned above all to stay put. The dilemma is a common one, but unfortunately there are no simple solutions. **Michael Chambers**

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An unwavering note for aspiring singers

Professional singing is not as glamorous as it may appear, Widgeon Finn says. The training requires dedication and, once qualified, you need business skills to succeed

The advice to anyone thinking of taking up singing as a career is uncompromising. "If you want to sing more than anything else in the world, go ahead," says Mollie Petrie, the head of the junior vocal department at London's Guildhall School of Music & Drama. "But it is not easy, and you have to be single-minded."

Music-making is an important part of the curriculum at many secondary schools. What is the next step for pupils who want to find out whether they have the ability, and stamina, to become professional singers?

The Guildhall school, like other leading music colleges, holds a Saturday school for young people. Miss Petrie believes the mid-teens are an important time for an aspiring singer.

"We take pupils from 15 years until they go to college or university," she says. "Not all our students have exceptional voices. We look for musicality and potential, and

we find that voices emerge and grow with people."

Students, usually referred to by their school or music teacher, often travel long distances to attend. The day includes a 40-minute individual singing lesson, a general musicianship class, ensemble and instrumental tuition and workshops. The fee is £330 a term, which can be funded by local authority grants and college scholarships.

Miss Petrie says a young singer should be taught regularly by a competent teacher. The Incorporated Society of Musicians can provide details of local singing teachers.

Aspiring singers often have to choose whether to go to university before starting training.

Music colleges offer a BA, diploma or performers' course in singing. Candidates must, says Gordon Stewart, the head of vocal studies at the Royal Scottish Academy of Music and Drama, have more than a good voice. "We are looking for musicianship," he says,

"combined with a talent for performance and communication."

The academy's singing department is smaller than those of London-based colleges, and can offer a more individual programme. At the end of the course, few graduates will begin a full-time career immediately. Many do further training in Britain or abroad. Some join the chorus of a big opera company, others do part-time work to finance themselves while they build their career.

Performers nowadays train for up to ten years. What, at the end, will be their job prospects? Mr Stewart says: "The number of qualified singers increases every year, but with the growth of professional and fringe companies, there are more opportunities. The financial rewards are not great, but people are attracted to singing because of the enormous enjoyment it gives them and others."

Nicola Jenkin went professional ten years ago. She sings as a soloist in Britain and abroad, in music festivals at Salzburg and Vienna, and with London's Monteverdi Choir. "I was drawn to concert work, rather than opera," she says, "because I started singing quite young, and wanted to get on with my career rather than wait for my voice to develop operationally. Because I can sight-read well and have the right sort of voice to fit into a choir, I was offered regular singing engagements as soon as I finished training."

Ms Jenkin was 16 when she decided she wanted to sing professionally. The assumption at her school was that everyone would aim for university, but Ms Jenkin was offered a place at the Royal College of Music in London on the three-year performers' course (now four years). After a postgraduate course at the college, she won a scholarship to continue her music studies in Vienna. Ms Jenkin says: "The greatest benefit from my year in Vienna, apart from the



Meeting challenges: Nicola Jenkin, with friend Catherine Verney (piano), was 16 when she decided on a singing career

singing, was that I became fluent in German, which has been invaluable."

There is a good supply of choral, concert and recording-session work for young singers, but Ms Jenkin now wants to concentrate on her career as a soloist.

"Music colleges teach you how to sing," she says, "but they do not tell you how to get a job. A few graduates win

singing competitions and get signed by an agent. The rest of us have to acquire business skills and learn how to market ourselves to potential employers." Ms Jenkin produced a brochure on her solo repertoire, which is aimed at choirs and music groups. The response to her mailshot has been good, and she will follow it up she says.

Ms Jenkin enjoys the

variety of her work. One week, she sang solos by Purcell in Spain, Bach in Munich and Mendelssohn in Hertfordshire. She appeared on Japanese television and has six recordings to her credit.

"From the outside," Ms Jenkin says, "it seems a glamorous life. But you need self-discipline, and you have to be able to cope with a demanding schedule. Despite

the drawbacks, it is a challenging and rewarding career. I would never consider doing anything else."

Further details: Royal Scottish Academy of Music and Drama, 100 Renfrew Street, Glasgow G2 3DB (041-332 4101); Royal College of Music, Prince Consort Road, London SW7 2BS (071-823 8229); Guildhall School of Music & Drama, Barbican, London EC2Y 8DT (071-638 1770).

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PUBLIC APPOINTMENTS

CONTINUED ON NEXT PAGE



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BOXING

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TRINITY Hall finished head of the river in the men's divisions of the Cambridge University Lent races. Emmanuel were the leading women's crew.

ICE HOCKEY

Wasps get Pirates warning

By a CORRESPONDENT

HENRIKSEN LEAGUE: Premier division: Ayr, 8; Whitby, 5; Cardiff, 4; Peterborough, 3; Hibernians, 2; Margate, 1. Second division: 1. Celtic, 3; Solihull, 3; Murrumbidgee, 1. 2. Clewville, 3; Solihull, 10; Rife, 5; Ayr, 13; Nottingham, 5; Cardiff, 7; Peterborough, 10; Murrumbidgee, 8; Whitby, 8; Durran, 12. First division: Glasgow, 6; Romford, 16; Macclesfield, 5; Humberstone, 14; Slough, 5; Walsley, 10; Walsley, 10; Walsley, 10; Trafford, 7; Lee Valley, 11; Essington, 10; Trafford, 6; Bradford, 8; Macclesfield, 5; Glasgow, 5; Lee Valley, 8; Humberstone, 7; Romford, 4; Trafford, 5; Swindon, 7. English League: Sheffield, 13; Chelmsford, 12; Sunderland, 3; Oxford, 6; Blackburn, 4; Bolton, 2; Walsley, 10; Walsley, 10; Walsley, 10; Bolton, 12; Walsley, 10; Walsley, 12.

England selection provides clue to World Cup squad

By DAVID HANDS, RUGBY CORRESPONDENT

present, Munich XV.

The Irish have now beaten England at schools, universities, under-21 and B level within the last 12 months, which must give their selectors cause for great optimism, even though their senior side could not do the trick on Saturday.

The Scottish and Irish selectors will sit down this evening to choose teams for their match at Murrayfield on March 16.

ENGLAND PARTIES

Arsenal

al's title o

RUGBY UNION

Waldron remains confident

By OWEN JENKINS

"France are prepared to play any type of game," Waldron said. "We hope to achieve a situation where we can play a game of French dimension. I still believe there is talent in Welsh rugby. The problem is, it is coming through too young."

Of his critics, he said: "I ignore them; it doesn't affect me. The referees can't change

me. The pressures are always there whether you are fighting to survive or winning all your matches. The only way to answer criticism is to achieve success. Even if someone else was in charge, there would be very few changes in the squad."

Dossett gets call to meet Welsh

By DAVID HANDS

side beaten 17-16 at College Park move Ian Pickup, the captain, to flanker and Craig Barrow to lock forward.

Against the Irish, the English students scored three tries to two, but lost to Keith McGarry's second penalty with only a minute left. McGarry's success

However, Coventry appealed on the grounds that they did not know of a late change in the venue, and the competition organisers accepted the appeal, only for Oxford to state that they, too, would appeal against the new decision.

The English Students, who play the French Students at US Portsmouth on March 15, will field the XV selected for the postponed game against Scottish Students last month. The French gained a convincing win over the Welsh Students in Pontiers on Friday.

Trent take honours

Two tries by the speedy Thompson, one converted by Smith, put Trent in command but Munnery's try, which Hutchinson converted, cut the

When Ballantyne made a second try for Munnery, Hutchinson's conversion nudged Barnard Castle ahead. Trent, however, were determined to have the final say and Tyack scored the winning try, which Smith converted.

Arsenal's title doddle makes exclusive viewing

By PETER BARNARD

In the latter category I carry the image of Kenny Dalglish, standing by the dog-out at Anfield two years ago, the top half of his body tilted slightly forward, his mouth hanging open and his eyes carrying the look of a man who has picked eight draws out of nine but put the coupon in his other trousers and sent them to Sketchley. That was the night on which Arsenal, needing to win by two goals to clinch the championship, did just that, thanks to Michael Thomas in injury time.

That was the only time I have fallen off a chair without the assistance of alcohol, a consequence of my arms and my legs being propelled to-

SPORT ON TELEVISION

THE WEEK IN REVIEW

League game of the season at Tottenham having to win, or draw 0-0, in order to clinch the first half of the double. They did it with a goal two minutes from the end by Ray Kennedy. Never in doubt. A doddle.

You will realise from these two enormous bursts of excitement compressed into 20 years that when it comes to stress, I know what Dalglish is on about. The fact that he is cracked before me is not a matter for gloating, after all he is a younger man who has yet to learn the trick of pacing himself. But the absence of Dalglish from the touchline on Sunday's *The Match* made the Liverpool-Arsenal game something less than the event it might have been.

I switched on in some dread. Tell a lie, I would have switched on in some dread. The cause of this dread got the better of me before the

match started, so I rang up Trevor East, the programme's editor, in order that I could get some sleep on the night before the game. You cannot take on Liverpool without sleep. "Er . . . is Dalglish going to be in the commentary box?" I said. "No" he said, sounding like a man who wished he could say yes. "It'll be Ian St John and Gary Lineker."

Oh no, not the Ian St John who used to play for Liverpool. Not him? Couldn't be. That one had black hair and wore a No. 9. The St John who appeared on Sunday is greying and wears a suit. What a relief. Lineker, of Tottenham, was there too, a nice man who talks about the game intelligently, a man who deserves better than having to play for the worst team in north London.

I see from the business section, where they cover Tottenham these days, that

Lineker might be sold to a bank soon, I think that is what it said. This would explain why the governor of the Bank of England has been seen at White Hart Lane wearing a flat cap and a creased raincoat with a roll-your-own jammed into his mouth. Robin Leigh-Pemberton, the only double-barrelled scout in football.

Of course the match on Sunday was just another minor hurdle on the road to the championship. St John tried the kiss of death technique by tipping Arsenal to win and ITV tried to distract my attention by promising an "exclusive interview" with Peter Beardsley at half-time.

This turned out to fit the usual definition of exclusive: nobody else could possibly have wanted it. The interview sounded like a script read-through for *Neighbours*: Beardsley's wife Sandra is still talking to Deleish's wife

Marina, who lives two doors away, contrary to tabloid stories of a "rift" caused by the fact that Marina's husband Kenny had not of late seen fit to pick Sandra's husband Peter. Riveting.

Beardsley said Sandra was so upset by the gossip she could not bring herself to leave the house to watch Sunday's match, even though Sandra's husband was playing. Fascinating. More likely, shrewd old Sandra had a fair idea what the outcome was going to be.

Certainly Beardsley seemed numb after half-time: perhaps he watched the interview on the dressing-room television set. Unless he and the other Liverpool players were exhausted from George Graham's tactic of letting his goalkeeper play Liverpool single-handed throughout the first half, in order to wear them out. It worked, never in any doubt, a doddle. *Phew*

Lloyd prefers Pickard in Davis Cup role

By ANDREW LONGMORE
TENNIS CORRESPONDENT

JOHN Lloyd, the former British tennis No. 1, has endorsed the widely held view that Tony Pickard should succeed Warren Jacques as Davis Cup captain.

Pickard, who has guided Stefan Edberg to two Wimbledon titles and to the No. 1 ranking in the world, has been keenly at arm's length by the Lawn Tennis Association over the past decade — but for too long, Lloyd said yesterday.

"Pickard was by far the best Davis Cup captain I played under and I would appoint him to do the job," Lloyd said from his home in California. "He has a knack of inspiring players and the LTA need highly-motivated people like that. Believe me, there are very few of them around."

But, he added, if Pickard could be persuaded to return to his old role as Davis Cup captain, he would need to be given wider powers than Jacques, who was dismissed just over two weeks ago after three-and-a-half years as men's international team director.

"If Tony was part of a real tennis revolution, had some say in the development of players from grass-roots level and some real power, then I think he might get excited about it and want to do the job."

Lloyd, aged 36, feels that the Davis Cup captain should work 12 weeks a year, preparing the team for matches and working closely with a full-time head of British men's tennis to develop future Davis Cup players.

That sort of restricted role could appeal to Pickard, who has been hurt more than he might care to

admit by being left out in the cold by the LTA.

He is no longer travelling full-time with Edberg and has no rival commitments during Davis Cup rounds. However, whether, at the age of 35, he still needs the challenge of revitalising Britain's tennis fortunes is difficult to judge.

Lloyd himself has his supporters, among them the British Nos. 1 and 2, Jeremy Bates and Nick Brown, but, like Pickard, he would need firm evidence of a change of attitude within the LTA before he would consider swapping a successful and lucrative career in Los Angeles as coach to Catarina Lindqvist, and as the No. 1 player on the over-35s circuit, for the overwhelming problems of British tennis.

"It is one of my ambitions to become Davis Cup captain," Lloyd said. "It's a very prestigious job and I'd love to get involved, but no

one has offered it to me and if they did, I would only do it under certain conditions."

"I would have to be working with people I had respect for and we would have to start all over again, root out all those who are simply not good enough and change the system. It's no good just having the same old faces."

"My feeling is that the LTA won't want to do that. I will guarantee that the people in line for the jobs are the people working for them right now. They might try to camouflage it, but basically their hands are tied. It's been the same for the last 20 years. I know that from my own experience."

The LTA has spoken to Pickard, though whether just to ask his advice or to offer him a job is not clear, and, with Britain's zonal tie against Poland in early May, hope to announce a new captain within a fortnight.



Lloyd: leading players' choice

ATHLETICS

Britain's leading lights to receive financial support

By JOHN GOODBODY

BRITAIN'S leading athletes, preparing for the 1991 world championships and 1992 Olympic Games, are to get £400,000 in a deal agreed by the Sports Council and the athletics authorities. Both the board and the council, the government-funded quango, will be spending about £200,000 each on the project, supervised by Frank Dick, the director of coaching.

All of Britain's highly successful athletes team, whose men won the 1989 European Cup for the first time in history and last year took eight gold medals at the European championships, are included in the scheme.

Dick, whose meticulous preparation for major events has been a feature of British athletics in recent years, has divided the needs of the competitors into three areas: lifestyle management; performance management; and medical management.

Among the things for which money will be given will be warm weather and altitude training; an annual full medical; purchase of specialist training equipment; travel expenses for

coaching and for attending time management courses. Money has even been given to Stewart Faulkner, the long jumper for driving lessons, so that he can visit his coach more easily and more cheaply than by public transport.

Dick said yesterday that the sponsorship and financial position of the 108 competitors (65 men and 43 women) would be taken into account when grants were made. "However, it would be wrong not to associate the scheme with the most successful athletes like John Regis and Linford Christie."

One particular worry is the number of outstanding competitors who either break down with injury or illness before or at major events. In Britain this is about 25 per cent but Dick pointed out that the East German team had reckoned on 20 per cent even when they had the advantage of considerable state support and close medical scrutiny of competitors.

Dick's concern is to try to reduce the 25 per cent with the help of a network of doctors and physiotherapists, led by Dr Malcolm Brown and Dr Ken Kingsbury.

VOLLEYBALL

East Europeans to help Britons

By RODDY MACKENZIE

RALPH Hippolyte, coach to the Great Britain men's team, has taken steps to attract Eastern European opposition to Britain's next month as preparation for the forthcoming European championships qualifying groups involving England and Scotland.

AZZ Czesochowa, the Polish club champions, have agreed in principle to come over and an approach has also been made to Riga, one of the Soviet Union's top clubs. The idea is for both clubs to train and play with the England and Scotland national sides and a formal quadrangular tournament would take place in north England after the British championships.

England and Scotland both face Eastern European nations in their European championship qualifying groups. Scotland meet the Soviet Union and Czechoslovakia and England face Poland and Yugoslavia. In the Royal Bafra of Scotland English League at the weekend.

BOWLS

Price given hard game

MARY Price, the only past champion in the field, was given a hard match by Margaret Dyer before winning 21-15 in the opening round of the Pedigree Films English women's singles at Larkspur Park, Bedfordshire yesterday (Sunday).

Dyer kept pace with Price for most of the game, but lost her length a little towards the finish. Price scoring one shot on each of the last five ends. English Victor won her singles 2-1-15 against Jan Jones. Sharon Rickman

required all her experience to edge past Beryl Vincent, 21-20.

RESULTS: First round: Beryl Vincent 21-20, Mary Price 21-15, Margaret Dyer 21-15, Sharon Rickman 21-15, Jan Jones 2-1-15, English Victor 2-1-15, Margaret Dyer 21-15, Sharon Rickman 21-15, Jan Jones 2-1-15, English Victor 2-1-15.

OVERSEAS FOOTBALL

Milan find peak form at just the right time

By PETER ROBINSON

AC MILAN, the European champions, could barely have peaked at a more opportune moment. With their Marechal Cup meeting with Marseille looming in midweek, Milan served notice on Sunday of what lies in store for the ambitious French club with a 4-1 romp over Naples in the San Siro.

Italian league champions last year but trailing among the also-rans this season, Naples had no answer to a Milan inspired by Ruud Gullit, the Dutch international.

After being gifted a 21st-minute lead by Ferrara's own goal, Milan went further ahead when Gullit scored a second after 41 minutes. His compatriot, Rijkaard, added a third three minutes before the

hour and Donadoni completed their tally ten minutes later. Incozzati netted the Naples consolation.

Milan's win lifted them to within a point of the joint leaders, neighbours Internazionale and Sampdoria. Inter's 1-0 success at Pisa, courtesy of Berti's headed goal, took them above Sampdoria on goal difference. The Genoese club managed only a 1-1 draw at Atalanta, with Canigola, of Argentina, equalising for the home side after Katanec, the Yugoslav, had scored.

Marseille beat second-placed Monaco 1-0 to extend their lead in the French first division, but there was controversy as the internationals, Eric Cantona and Jean

Tigana, were dropped for the Milan game after refusing to play. Incozzati netted the Naples consolation.

Match-fixing involving the game between Seville and Real Betis, which Seville won 3-2, overshadowed the first appearance of Barcelona since the sudden illness of their manager, Johan Cruyff. Barcelona beat Tenerife 1-0 in the Nou Camp with a goal by Stoichkov, the Bulgarian forward.

PSV Eindhoven, managed by Bobby Robson, strengthened their hold on the Dutch first division with a 6-0 trouncing of fullen giants, Feyenoord. Romario, the Brazilian forward, scored four times — the first within a minute of the kick-off.

BASKETBALL

Bucknall repays faith of coach

By NICHOLAS HARLING

WITHIN the next six weeks, Sunderland Saints should know whether Steve Bucknall has assimilated all their advice or if his performance at the weekend in the Coca-Cola Cup final was just a flash in the pan.

It was hard enough for Sunderland to deprive Kingston of one of their trophies from last season; it will be harder still for Dave Elderkin, their coach, to persuade them that they can repeat the feat at the national championship play-offs — assuming, of course, that both clubs reach the competition's conclusion at the NEC, Birmingham, on April 12 and 13.

Whether Sunderland can do so depends to a large extent on their 6ft 5in England international, whose contribution to the 88-81 cup final success against Leicester was a revelation, coming a little over a week after his dismissal by the club.

It was Sunderland's good fortune that Elderkin listened to Bucknall's plea for a last chance. The player had arrived in

October, believing he had nothing left to learn after his brief experience with Los Angeles Lakers in the National Basketball Association.

Like some other Sunderland players, Bucknall's own statistics seemed to be the only thing that mattered, but on Sunday all that changed when he finished up as the most valuable player of the match reward.

Either Scott Peterson or Russ Saunders had a claim to the honour, as did two Leicester players, Dip Donaldson and the game's top scorer, Gene Walden, but it went to Bucknall, whose 12 points and eight rebounds told only half the story.

There was also a stream of accurate passes and some mighty rejections, two of which came at a crucial stage when Leicester were getting on top.

"It is good that the people who choose these things realise there is more to basketball than scoring baskets," Elderkin said. "Steve showed a lot of leadership and that his team will not be 'one-win wonders'." On Sunday, Bucknall was named the

most valuable player of the match reward. The evidence of the weekend in that he has learned his lesson."

YACHTING

Gautier cruises closer to solo stage victory

AS JOSH Hall — still with Cape Horn to round, and now last in his class — named a broken boom as the reason for his weathered, New Spirit of Ipswich, the race leader, was within 200 miles of Punta del Este and the finish of the third leg of the RORC single-handed round the world race (Malcolm McKing writes).

The dash for the race position reporting system was highlighted when Christophe Auguin disappeared from the results because his Argos had ceased to blink.

However, his soon radio report put his position between Gautier and David Adams.

LEADERS POSITIONS (at 08.00 yesterday, with miles to go to Punta del Este): 1. Josh Hall (New Spirit of Ipswich, 22ft 6in Group 1); 2. David Adams (Argos, 22ft 6in Group 1); 3. Christophe Auguin (Argos, 22ft 6in Group 1); 4. Christophe Auguin (Argos, 22ft 6in Group 1); 5. Christophe Auguin (Argos, 22ft 6in Group 1); 6. Christophe Auguin (Argos, 22ft 6in Group 1); 7. Christophe Auguin (Argos, 22ft 6in Group 1); 8. Christophe Auguin (Argos, 22ft 6in Group 1); 9. Christophe Auguin (Argos, 22ft 6in Group 1); 10. Christophe Auguin (Argos, 22ft 6in Group 1); 11. Christophe Auguin (Argos, 22ft 6in Group 1); 12. Christophe Auguin (Argos, 22ft 6in Group 1); 13. Christophe Auguin (Argos, 22ft 6in Group 1); 14. Christophe Auguin (Argos, 22ft 6in Group 1); 15. Christophe Auguin (Argos, 22ft 6in Group 1); 16. Christophe Auguin (Argos, 22ft 6in Group 1); 17. Christophe Auguin (Argos, 22ft 6in Group 1); 18. Christophe Auguin (Argos, 22ft 6in Group 1); 19. 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